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## JOURNALS OF THE HOUSE OF REPRESENTATIVES OF MASSACHUSETTS

VOLUME XXX

## *Committee of Publication*

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*Director*

Massachusetts Colonial  
General Court  
House of Representatives

# JOURNAL

1730, 1753, with  
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House of Representa  
of Massachusetts

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1753-1754

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## INTRODUCTION

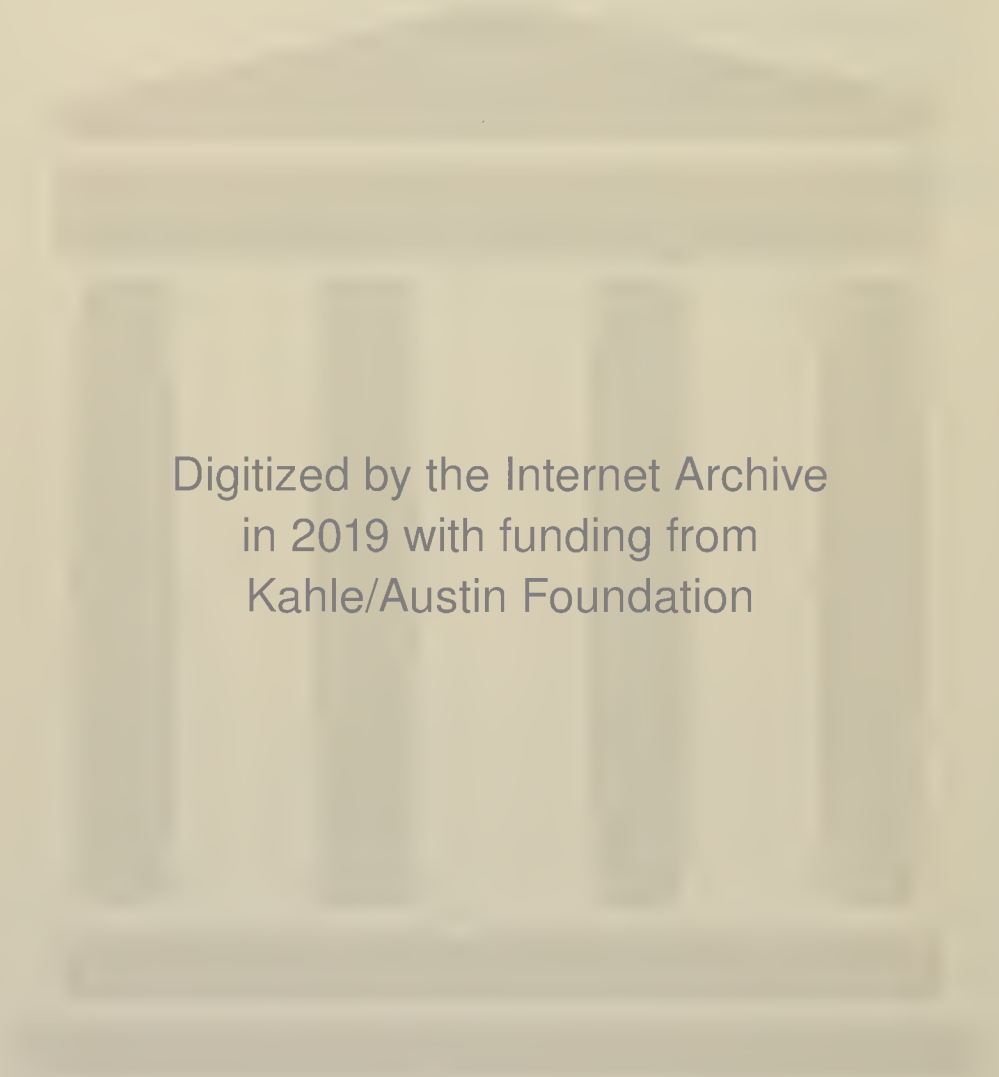
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# Introduction

THE First Session of the General Court met on May 30, 1753, with 104 members present from 98 towns; 57 towns sent no representatives. This first session met on twenty days, closing on June 22; the Second Session lasted for only nine days, from September 5 to September 14; and the Third Session met on sixty-five days, opening on December 4, 1753, and ending on April 23, 1754. There was one long recess during this session, from January 25 to March 27, 1754.

Governor William Shirley, Lieutenant-Governor Spencer Phips, Commissary-General John Wheelwright, and Clerk Roland Cotton were all returned to office, and served through the year; but Treasurer William Foye was replaced by Harrison Gray on the day before the First Session closed, after a long, bitter quarrel over the requirements of that office. The quarrel started on January 3, 1753, when one of the members complained that Treasurer Foye "had not taken the Oath respecting the passing and receiving the Bills of the other Governments etc. in order to qualify himself for that Office" (Volume XXIX, 115). On June 6, 1753, the sixth day of this year's First Session, this subject was again brought up. The House wanted the treasurer to be required "to enter into Bonds with two sufficient Sureties to a Committee annually to be appointed by this Court, for the faithful Discharge of his Trust in that Capacity" (18), and they "*Resolved*, That the Province Treasurer be obliged to take an Oath" of office (19). The Council agreed to making him take the oath, but not to requiring the bonds. They sent down a message "expressing their Surprise and Concern at the Conduct of the honourable House," and went on to say that "This Proceeding is new and unprecedented," and "Are the Resolves of the House of Representatives to govern the Board?" They added, "the honourable House, by a peremptory Resolve declare, in Effect, that they will decline all Correspondence with the Board. . . . [The Council thinks] it incumbent upon them, on this Occasion, to declare, That they will preserve their Judgments free and independent; and that it is not the Orders or Resolves of any other Branch of the Legislature, but His Majesty's Service, and the Interest of the Province, which shall govern and influence all their Votes" (23).

The House sent up an answer that same day, saying that "as they have always shewn a Disposition to cultivate and maintain a good Harmony with the honourable Board, [they] are extreamly concerned they should think there was any Thing in their Message Yesterday that had the least Tendency to interrupt it." They were at a loss to know "whether the passing such a Resolve, or sending it up by the Clerk" was what the Council considered to be unparliamentary. They continued, "If it be the first, We would beg Leave to observe,

that each Branch of the Legislature have a Right to act for themselves with the utmost Freedom, neither is the House conscious that there was any Thing in their Message to debar the honourable Board of that Priviledge; and as they are so free and willing that the honourable Board should act free and independent; it is surprizing to the House that the honourable Board should find fault with the House for the Liberty the Constitution has given them: The honourable Board can't but know, that all Grants of Money and Taxes must originate with the House, and never 'till lately did the honourable Board presume to make Alteration in any such Grants or Bills." The message went on to show that the House thought "that a Gentleman entrusted with such large Sums of Money . . . ought to find Sureties for his good Behaviour" in the office of Treasurer. They agreed that "the Thing is new . . . but it does not follow from thence, that it is unreasonable . . . [and] they do not think it safe to trust any Gentleman with their Moneys without such Security" (24). The House hoped that "the Business of this Session may be no longer impeded."

The Council answered the next day that they had "no Disposition to begin or continue a Controversy" with the House, but they still refused to agree to have the Treasurer supply two sureties, for, they said, "it might tend to discourage any Gentleman of Character and Estate, who might be chosen into the Office, from accepting the Trust, when burdened in an unusual Manner. . . . The Board are never inclin'd to Changes or Alterations of any long Practices, which have been attended with no Inconvenience" (28–29). Then the House changed the wording of the bill to provide that Treasurers "shall be under Oath, and give Bond for the faithful Discharge of their Office" (39). This was finally agreed to by the Council (43); but Lieutenant-Governor Phips, on June 21, had still not given his consent. On that afternoon a message was sent up to him which read, in part, as follows: "the House after due Deliberation having found great Inconveniences have arisen to the good People of this Province in the Way they have hitherto been in, with Respect to the Treasurer, judg'd it expedient that some new Method might be entered into with Regard to that Affair; and humbly thank your Honour in pointing out that Method by Way of Resolve, which, in the Apprehension of the House, will fully answer all the salutary Ends that they intended" (59). But the Journal does not tell us just how Phips settled the matter for them.

Again and again during this legislative year there were entries about the controversy over boundary lines between Massachusetts and the neighboring provinces, especially New York. On the afternoon of June 12, 1753, a committee reported on their investigation of the line to the west of Sheffield, saying that papers received from Governor Clinton show that New York rejects the proposals of Massachusetts for settling the matter, and



That there does not appear by any Evidence whatsoever, to have been any ancient Jurisdiction exercised, nor ancient Grants made by any States or Powers in *Europe*, nor any ancient Possession in any other than this Government of any of the Lands now held or claim'd by this Province; That the Right of this Province appears to be founded upon Grants as ancient as the Year 1620, and their Possession and actual Improvement of a considerable Part of the Lands to the Westward of *Connecticut River*, is of more than an hundred Years standing, and must have been known to every Government on the Continent; and therefore it is surprising that the Government of *New-York* now seem to be unacquainted with it; That therefore it can by no Means be adviseable for this Government now to suspend the Exercise of their Jurisdiction, but on the contrary, it behoves them to go on in settling the Lands, and regulating and governing the Inhabitants according to the Right given them by Charter. (37)

On July 28, 1753, more papers came from New York, "impowering Commissioners to make Proposals for amicably settling the Controversy." A part of a long message to Governor Shirley on September 11 from the General Court read,

On this Affair, we beg Leave to observe to your Excellency, that the present Warmth and Disorders arose upon, or at least quickly after, the Petition of some Persons who had encroach'd on this Province's ungranted Lands West of *Sheffield*, that the General Court of this Province would sell or dispose of, to them, the Lands they thus possess'd: Not long after this, a Number of Persons in the Employ of *Robert Livingston*, Jun. Esq; burnt down the Dwelling House of *George Robinson*, one of these Petitioners, and Mr. *Livingston* caused his Body to be attached and committed to *Albany* Goal, who was afterwards bailed by Order of this Government. —Upon which, the General Court of this Province, from a sincere Desire of Peace and good Order, and to preserve good Understanding with *New-York* Government, proposed to that Government, the mutual Appointment of Commissioners for settling the Boundary Line between the two Provinces: This *New-York* Government did not agree to, but on the Advice of the Council there, in a magisterial Manner demanded of this Government, what Right they had to the Soil or Jurisdiction West of *Connecticut-River*, suggesting that it was but very lately, they knew we had any Possessions West of that River.—This Proceeding of the Gentlemen of *New-York*, appeared indeed extraordinary, as divers of our ancient and best Towns had been settled West of this River about an Hundred Years, and the Shire Town of *Springfield* near an Hundred and twenty Years.

When New York refused "to join in settling the Line," the message continued, Massachusetts sent its committee in April to see Mr. *Livingston*, who agreed with them that all proceedings should be stopped until the two governments came to an understanding. But, in spite of this,

... in July last, Mr. *Livingston*, with above sixty Men armed with Guns Swords and Cutlasses, in a very hostile and riotous Manner enter'd upon Part of said Lands, in the Possession of *Josiah Loomas*, cut down his Wheat, and carried it away in his Waggons, and destroyed above five Acres of Indian Corn. ... Complaint being made ... in the County of *Hampshire*, Warrants were granted, and two of the Rioters apprehended; who enter'd into Bonds for Appearance. (78)

It was finally agreed to send commissioners from the two provinces to meet in a neutral place in Connecticut in November. In the meantime, a Dutchman who had favored the arrest of the two rioters was "confined in *Dutchess County Goal*, (it is said to be in a Dungeon) and the most unexceptionable Bail refused" (79). The trouble was not settled in this Journal, and the Dutchman was apparently still in jail at the time the General Court dissolved.

As usual, there was a great variety of petitions brought in during these three sessions of the General Court. On page [243] the selectmen of Boston asked "that the said Town may be enabled to remove certain Buildings in order to widen the Street in said Town, called *Ann-Street*." A committee was appointed "to consider and report thereon," but Ann Street is not mentioned again. There was a petition on March 28, 1754, of Job Ahauton, an Indian, "praying that this Court would make void a certain Deed signed by him (while drunk) unto Stephen David, an Indian." On April 12, 1754, the House "*Ordered* That the Members of the Town of *Boston* bring in a Bill for the punishing profane Cursing and Swearing in His Majesty's Goals [*sic*] within this Province, as soon as may be." And the House ordered "a Committee to bring in a Bill for the Payment of Officers and Witnesses in Criminal Cases, where the Defendant is acquitted" (123). Bills were brought in "to prevent clandestine sales of vessels and cargoes"; "to prevent Deceit in packing of Pork which is offered for Sale"; "to regulate Funerals on the Lord's Day"; "for the better regulating idle Persons who mispend their Time and Estates"; "to prevent Fraud in the Length of Cord Wood"; and one "providing that there be a just Admeasurement of the Boats employed to supply the Navigation with Ballast &c."

On June 9, 1753, plans were being made to prepare a bill "in Addition to the Act to enable the Overseers of the Poor and Select-Men to take Care of idle and disorderly Persons, and . . . impowring the Overseers to take any Children that are bound out, where it evidently appears they are abused by their Masters; and . . . impowring the Overseers or Select-Men to bind out Children that lead an idle Life." On June first a memorial had been brought in showing "That a considerable Number of Gentlemen Inhabitants of this Province, have, from a single View to the Benefit and Advantage thereof, entred into a voluntary Subscription in order to raise Monies for promoting a Spirit of Industry, and employing the Poor amongst them." Then, on December 5, Governor Shirley showed that he was still thinking the matter over, for part of his speech to the General Court on that day reads as follows:

I would recommend to you to give some Encouragement to the raising of Wheat and other English Grain within the Province, as our purchasing it from the neighbouring Colonies contributes greatly towards draining us of our Coin.

Another probable Means of advancing the same good End . . . is to provide more effectually for Employing and setting to Work such of the Poor, as are able of Body,

and for restraining all idle, and disorderly People among us from those Vices, which render Persons, who might otherwise be useful Members of the Common Wealth, burthensome and pernicious to it; more especially that Care be taken of the Education of the Children of the Poor of both Sexes, by training them up to earn their Livelihood by Industry in some useful Calling, and instructing them in the Knowledge of the Christian Religion.

The Council sent down, January 2, 1754, a bill "to enable Creditors to receive their just Debts out of the Effects of their absent and absconding Debtors," and, after having been brought up several times, the bill was passed to be enacted on January 11. Very few bills were "passed to be enacted" that quickly by the General Court.

During the time when the Court was adjourned from January 25 to March 27, 1754, Governor Shirley had been hearing such alarming reports about the plans of the French and Indians to attack New England as soon as the rivers were free of ice, that he addressed the Court twice within a few days—on March 28 and again on April 2—on this subject. His two speeches and the General Court's answer to them are all printed at the end of this Journal. The Governor told his audience that

a considerable Number of *French* settled themselves on a noted Carrying-Place, made use of by several *Indian Tribes* inhabiting that Part of the Country, in their Passage to and from *Canada*, which seperates [*sic*] the Head of the aforesaid River [Kennebeck] from that of the River *Chaudiere*. And . . . that the *French* are settled very thick for twelve Miles on each Side of the said River *Chaudiere*, at about thirty Miles distance above the Mouth of it. . . . And the Captain of *Richmond* Fort in his Letter dated 23d of last *January* informs me, That the *Norridgewalk Indians* have declared to him, "That they had given the new *French* Settlers upon the Carrying-Place, Liberty to Hunt any where in that Country, as a Recompence for the great Service they will be of to them, in a Time of War with the *English*, by supplying them with Provisions and Military Stores."

The same officer at Fort Richmond wrote in February to Governor Shirley that about sixty Indian men and some boys who were capable of bearing arms had arrived near the fort, and he suspected, from their "haughty insolent Behaviour, the repeated open Threats of some of them, and the private Warnings from others, that as soon as the Rivers should be free from Ice, they would commit Hostilities against the *English*, upon that and neighbouring Rivers; in which they intimate, they are to be assisted by a Number of *French* from *Canada*, disguised like *Indians*." And in March this captain wrote again, the Governor informed the General Court, "that the *French* Priest, Missionary to the *Indians* of the River *Kennebeck*, appeared to him . . . to excite the *Indians* to prevent our Settlements from being extended higher up it; to set them at Variance with the *English*; and dispose them to a War with them this Spring."

Shirley heard from two settlers at Frankfort, on the Kennebeck,



that the *French* Priest had been very inquisitive after *Roman* Catholic Families in that Settlement; and used Endeavours to draw off some of the inhabitants into the Service of the *French*; particularly for building a Chapel & a Dwelling-House for himself upon that River, about three or four Miles above *Cushana*, and at the Distance of 24 from *Frankfort*; and been very industrious to perswade them that it was within the *French* Territories: And the Indians have further declared, that they have been instigated by the Governour of *Canada* to hinder the *English* from settling upon any Part of the River; which is strongly confirm'd by a Deposition of Capt. *Lithgow*, made in *August* last.

Toward the end of this long speech the Governor advocated building a strong fort near the head of the Kennebeck, and reminded his listeners of the "mischievous Effects" of the "Ravages which they suffer'd . . . during the late War" on the provinces of Massachusetts and New York when they had neglected to build a fort at Crown Point (265-272).

In their message to Governor Shirley on April 9, 1754, in answer to these two speeches about their troubles with the French and Indians, the General Court agreed that their defence must be strengthened, saying,

*As Richmond Fort . . . is in a decayed State, we desire your Excellency to order a new Fort to be erected of about One Hundred and twenty Feet square, as far up the River above Richmond Fort as your Excellency shall think fit, and shall cause the Garrison Artillery and Stores at Richmond, to be removed to the new Fort, and the old One to be demolished.*

And they asked him to order a sufficient force to be sent to the carrying-place to "remove any French that may be settled there" (274); and, because they thought that the success of these undertakings depended on the Governor taking the affair into his "immediate Care, and Direction," they asked him "to submit to the Inconveniences of a Voyage to the Eastern Parts of the Province; and there to give such Orders" as he found necessary. For his safety, if he undertook this trip, they promised to make provision for the pay and support of five hundred men that they wished "to cause to be enlisted" as soon as the Governor approved the plan. There is no record in the Journal for the remainder of this session as to whether or not Governor Shirley agreed to "submit to the Inconveniences" of this journey. But a bill was brought in "for levying Soldiers, and to prevent Soldiers and Seamen in his Majesty's Service from being arrested for Debt." And the House decided to mortgage the excise for the year 1753 "as a collateral Security" for borrowing five thousand, three hundred pounds to cover these expenses. On the eighteenth the House "*Ordered, That there be allowed to the Officers that may enlist the Soldiers going Eastward, the Sum of one Shilling and six Pence per Man for each Man they shall enlist.*"

STEWART MITCHELL

*April 15, 1955*

# JOURNAL

Of the Honourable House of  
*REPRESENTATIVES,*

Of His Majesty's Province of the  
*Massachusetts-Bay*

IN

*NEW-ENGLAND,*

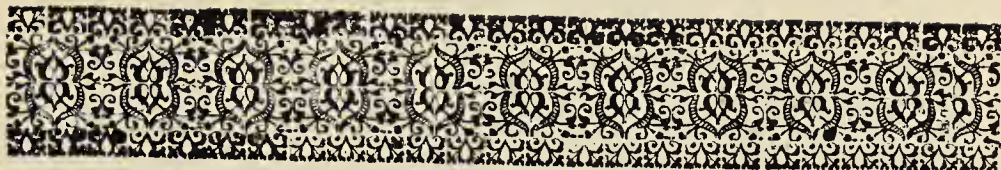
Begun and held at *Boston* in the County of *Suffolk*, on  
Wednesday the Thirtieth Day of *May*, Annoque  
Domini, 1753.



*BOSTON: N. E.*

Printed by *Samuel Kneeland*, Printer to the Honour-  
able House of REPRESENTATIVES. 1753.





A

## JOURNAL

Of the Honourable House of

REPRESENTATIVES,

At a Great and General Court or Assembly of  
His Majesty's Province of the *Massachusetts-*  
*Bay* in *New-England*, Begun and held at  
*Boston* in the County of *Suffolk*, on Wednes-  
day the Thirtieth Day of *May*, being the last  
Wednesday of said Month, *Anno Domini*,  
1753.

THE Honourable *Jacob Wendell*, *Ezekiel Cheever*, *Andrew Oliver*,  
and *Stephen Sewall*, Esqrs; came down from the Council Board,  
and acquainted the House, they were authorized and appointed  
by His Honour the Lieutenant Governour, to administer the  
Oaths to the Members of the House respectively required by Act  
of Parliament; and that the Members were accordingly directed  
to take the Oath of Abjuration, and subscribe the Declaration before them:  
Which was done accordingly by the Members present; and then the said  
Gentlemen withdrew.

*Roland Cotton*, Esq; was desired to bring down the Writs and Precepts for  
the Choice of Representatives, from the Secretary's Office, and on the Exami-  
nation of them, it appeared that the following Gentlemen were returned to  
serve for and represent the several Towns within this Province, viz.

For



For the County of  
SUFFOLK.

*The Hon. Sa. Welles, Esq*  
*The Hon. Ja. Allen, Esq;*  
*The Hon. THOMAS*  
*HUBBARD, Esq; Speaker*  
*Mr. James Bowdoin.*  
*Roxbury, Capt. Joseph Williams*  
*Dorchester, Robert Spur, Esq;*  
*Milton, Mr. Joseph Bent*  
*Braintree, Mr. Samuel Niles jun.*  
*Weymouth, Capt. Thomas Pratt,*  
*Hingham, Mr. Jacob Cushing*  
*Dedham, Joseph Richards, Esq;*  
*Medfield, Mr. Peter Coolidge*  
*Wrentham, Mr. John Goldsbury*  
*Stoughton, Mr. Joseph Hewin, Jun.*  
*Needham, Mr. William Bowdoin*  
*Chelsea, Nath. Oliver, jun. Esq;*  
*Medway, Mr. Jonath. Adams, Jun.*  
*Brookline, -----*  
*Hull, -----*  
*Bellingham, ----*  
*WVapole, -----*

## For the County of ESSEX.

*Salem, Henry Gibbs, Esq;*  
*Ipswich, Francis Cogswell, Esq;*  
*New } Mr. Benjamin Greenleaf*  
*bury, } Joseph Gerrish, jun. Esq;*  
*Lynn, Capt. Benjamin Newhall*  
*Marblehead, John Tasker, Esq;*  
*Andover, Capt. Joseph Fry*  
*Beverly, Capt. Henry Herrick*  
*Rowley, Mr. Thomas Lancaster*  
*Salisbury, Mr. Abraham Morrill*  
*Haverhill, Nath. Peaslee, Esq;*  
*Gloucester, Mr. William Stevens*  
*Amherst, Mr. Isaac Merrill*  
*Bradford, Capt. Benj. Milliken*  
*Boxford, Mr. John Foster*  
*Topsfield, Mr. Elijah Porter*  
*Middleton, ----*  
*WVvenham, -----*  
*Manchester, -----*  
*Methuen, -----*

For the County of  
MIDDLESEX.

*Cam- } Mr. William Fletcher*  
*bridge, } David Phips, Esq;*  
*Charlestown, Mr. James Russell*  
*Watertown, Mr. John Hunt*  
*Concord, Mr. Ephraim Jones*  
*Woburn, Mr. Edward Walker*  
*Reading, Ebenezer Nichols, Esq;*  
*Newton, Henry Gibbs, Esq;*  
*Sudbury, Mr. John Noyes*  
*Marlborough, Mr. Samuel Witt*  
*Groton, William Lawrence, Esq;*  
*Billerica, Capt. Enoch Kidder*  
*Frammingham, Joseph Buckminster,*  
*(Esq;*

*Lexington, Capt. Benjamin Reed*  
*Cbelfmsford, Mr. Eph. Spaulding*  
*Sherburne, Isaac Coolidge, Esq;*  
*Malden, Joses Bucknam, Esq;*  
*WVeston, Mr. Eliza Jones*  
*WValtham, Samuel Livermore Esq*  
*Medford, Mr. Stephen Hall*  
*Littleton, Mr. Nathanael Russell*  
*Holliston, Mr. Eben. Littlefield*  
*WVestford, -----*  
*Hopkinton, -----*  
*Stow, -----*  
*Dracut, -----*  
*Dunstable, -----*  
*Stoneham, -----*  
*WVilmington, -----*  
*Nottingham, -----*  
*Bedford, -----*  
*Tewksbury, -----*  
*Acton, -----*

For the County of  
HAMPSHIRE.

*Springfield, John Worthington Esq*  
*Northampton, Mr. Gideon Lyman*  
*Hadley, Eleazer Porter, Esq;*  
*Hatfield, Oliver Partridge, Esq;*  
*Deerfield, Elijah Williams, Esq;*  
*WVestfield, David Moseley, Esq;*  
*Brimfield, John Sherman, Esq;*  
*Sherfield, John Ashley, Esq*  
*Sunderland, -----*  
*Suffield, -----*  
*Enfield, -----*  
*Northfield, -----*  
*Somers, -----*  
*Blanford, -----*  
*WVincchester, -----*  
*Pelham, -----*  
*Stockbridge, -----*

For the County of  
WORCESTER.

*WVorcester John Chandler, jun. Esq*  
*Lancaster, Joseph Wilder, jun. Esq;*  
*Brookfield, Capt. William Ayres*  
*Liecester, Thomas Steel, Esq;*  
*Rutland, Mr. John Murray*  
*Lunenburg, Mr. William Downe*  
*Shrewsbury Mr. Phineas Haywood*  
*Oxford, Mr. Duncan Campbell*  
*Mendon, Capt. Nathan Tyler*  
*Sutton, Mr. Daniel Greenwood*  
*Southborough, Capt. Tim. Brigham*  
*Harvard, Capt. Jonath. Whitney*  
*Bolton, Mr. John Whitcomb*  
*Sturbridge, Capt. Moses Marcy*  
*Uxbridge, Mr. Josiah Taft*  
*WVestborough, -----*  
*Upton, -----*  
*WVoodstock, -----*  
*Dudley, -----*  
*Grafton, -----*  
*Hardwick, -----*  
*WVestern, -----*

For the County of  
PLYMOUTH.

*Scituate, Mr. Ensign Otis*  
*Duxbury, Gamaliel Bradford, Esq*  
*Marshfield, John Winslow, Esq;*  
*Bridgewater, Capt. Josiah Edson*  
*Pembroke, Mr. Israel Turner*  
*Plympton, Mr. Israel Bonny,*  
*Middleborough, Capt. Nath. Smith*  
*Hanover, David Stockbridge Esq;*  
*Abington, Mr. Jacob Porter*  
*Kingston, Mr. Benjamin Sampson*  
*Plymouth, -----*  
*Rochester, -----*  
*Malifax, -----*  
*WVareham, -----*

For the County of  
BARNSTABLE.

*Barnstable, James Otis, Esq;*  
*Sandwich, Roland Cotton, Esq;*  
*Eastham, John Freeman, Esq;*  
*Harwich, -----*  
*Yarmouth, -----*  
*Falmouth, -----*  
*Chatham, -----*  
*Truro, -----*

For the County of  
BRISTOL.

*Taun- } Samuel White, Esq;*  
*ton, } Capt. Thomas Cobb*  
*Reboboah, Mr. Israel Nichols*  
*Dartmouth, Capt. Nath. Sole*  
*Dighton, Ezra Richmond, Esq;*  
*Attleborough, Mr. Benjamin Day*  
*Swansey, Mr. William Slade*  
*Freetown, -----*  
*Easton, -----*  
*Raynham, -----*  
*Berkley, -----*

## For the County of YORK.

*York, Mr. John Bradbury*  
*Kittery, Nath. Sparhawk, Esq;*  
*Berwick, Mr. William Gerrish*  
*WVells, Mr. Nathanael Wells*  
*Falmouth, Jedediah Prebble, Esq*  
*Scarborough Edward Milliken Esq*  
*North-Yarmouth, -----*  
*Biddeford, -----*  
*Brunswick, -----*  
*George-Town, -----*  
*Arundel, -----*

For the County of  
DUKES-COUNTY.

*Edgartown, -----*  
*Chilmark, -----*  
*Tisbury, -----*

For the County of  
NANTUCKET.

*Sherburne, -----*



The House proceeded to bring in their Votes for a Speaker, which Speaker being examined, it appeared that the honourable THOMAS HUBBARD, Esq; was chosen.

Then the House proceeded to the Choice of a Clerk, and upon collecting and examining the Votes, it appeared that *Roland Cotton*, Esq; was elected. Clerk.

And the following Oath was thereupon administred to him by the Honourable SAMUEL WELLES, Esq; viz.

*WHEREAS* you *Roland Cotton*, Esq; are elected Clerk of the House of Representatives, you do Swear, that you will enter all the Votes and Orders thereof, and in all Things relating to your Office, you will act faithfully and impartially. Sworn.  
So help you GOD.

Ordered, That Col. *Buckminster*, Col. *Otis*, Capt. *White*, Col. *Lawrence*, and Capt. *Joseph Williams*, wait on His Honour the Lieut. Governour, and acquaint him the House have made Choice of the Honourable THOMAS HUBBARD, Esq; to be their Speaker, and are ready to present him to His Honour for his Approbation. Committee to acquaint the Gov. of the Choice of a Speaker.

Who returned they had delivered the Message.

Ordered, That Mr. *Welles*, Col. *Winslow*, Col. *Porter*, Capt. *Fry*, and Col. *Richards*, present the Honourable THOMAS HUBBARD, Esq; to His Honour, for his Approbation of him as Speaker, agreeable to the Direction of the Royal Explanatory CHARTER. Committee to present him.

Which was done by them accordingly.

A Message from His Honour the Lieutenant Governor by Mr. Secretary *Willard*, viz.

Gentlemen of the House of Representatives,

*YOU* having signified to me by a Message your Choice of THOMAS HUBBARD, Esq; to be your Speaker, and presented him to me for my Approbation, pursuant to the Direction of the Royal Explanatory CHARTER : By Virtue of the Authority given me by the said Royal Explanatory CHARTER, I approve of him accordingly. Governour's Approbation.

Council Chamber May

S. P H I P S.

30th 1753.

Ordered, That Col. *Otis*, Col. *Richards*, Capt. *Elijah Williams*, Capt. *White*, and Col. *Bradford*, be a Committee on the Part of the House, to carry up the Votes for Councillors or Assistants; and assist in sorting and counting them, together with the Votes of the honourable Board, and report to the House the several Elections that shall be made. Committee to count the Votes for Councillors. [counting]

Ordered, That Mr. *Welles*, Mr. *Allen*, and Mr. *James Bowdoin*, go up to the honourable Board to acquaint them, the House are ready to proceed to the Choice of Councillors, pursuant to the Royal CHARTER, and propose to bring in their Votes for eighteen Councillors for the late Colony of the *Massachusetts-Bay* at first; and in order that an exact and perfect Account be taken in numbring and sorting the Votes, the House move that the Committee sit at a separate Table from the Board, and that no Election be declared 'till it has passed the Examination of two of the Tellers at least, one of which to be of the honourable Board, and one of the House; provided that more than eighteen have the major Part, the highest Eighteen to be the Persons elected. Message to the Board.

Who returned they had delivered the Message.

Message from the Board. A Message from the honourable Board by *Sylvanus Bourn*, Esq; to acquaint the House, that they are ready to proceed to the Choice of Councillors or Assistants in the Manner the House propose.

*Ordered*, That the Committee of the House for counting the Votes for Councillors, carry up the Votes for eighteen Councillors or Assistants, Inhabitants or Proprietors of Lands within the Territories formerly called the Colony of the *Massachusetts-Bay*.

Who returned that eighteen were chosen by a major Part of the Votes, *viz.*

Councillors  
chosen.

<i>John Osborn</i> , Esq;	<i>John Quincy</i> , Esq;
<i>Francis Foxcroft</i> , Esq;	<i>John Chandler</i> , Esq;
<i>Josiah Willard</i> , Esq;	<i>Ezekiel Cheever</i> , Esq;
<i>Jacob Wendell</i> , Esq;	<i>Andrew Oliver</i> , Esq;
<i>Benjamin Lynde</i> , Esq;	<i>Joseph Pynchon</i> , Esq;
<i>Daniel Russell</i> , Esq;	<i>Thomas Hutchinson</i> , Esq;
<i>Samuel Danforth</i> , Esq;	<i>Stephen Sewall</i> , Esq;
<i>John Greenleaf</i> , Esq;	<i>Isaac Royal</i> , Esq;
<i>Samuel Watts</i> , Esq;	<i>Eleazer Porter</i> , Esq;

The said Committee carried up the Votes for four Councillors or Assistants, Inhabitants or Proprietors of Lands within the Territory formerly called *New Plymouth*, and reported that the following Gentlemen were chosen, *viz.*

<i>John Cushing</i> , Esq;	<i>George Leonard</i> , Esq;
<i>Sylvanus Bourne</i> , Esq;	<i>John Otis</i> , Esq;

The said Committee carried up the Votes for three Councillors or Assistants, Inhabitants or Proprietors of Land within the Territory formerly called the Province of *Maine*, and reported that the following Gentlemen were chosen, *viz.*

<i>Sir William Pepperrell</i> , Baronet.	<i>John Hill</i> , Esq;
<i>Jabez Fox</i> , Esq;	

The said Committee carried up the Votes for one Councillor or Assistant, an Inhabitant or Proprietor of Lands within the Territory lying between the River *Sagadahock* and *Nova Scotia*, and reported that the following Gentleman was chosen, *viz.*

*John Wheelwright*, Esq;

The said Committee carried up the Votes for two Councillors or Assistants, Inhabitants or Proprietors of Lands within any Part of the Province, and reported that two were chosen by a major Part of the Votes, *viz.*

<i>James Minot</i> , Esq;	<i>Benjamin Lincoln</i> , Esq;
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Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Jovis 31. Die Marti, A. D. 1753.**

Precepts re-  
turned read,!

THE Precept returned from the several Towns thro' the Province were read : And it being suggested by many Members, that *Nathanael Oliver*, Esq; returned Representative from *Chelsea*; *Nathanael Sparhawk*, Esq; from *Kittery*; Mr. *Joseph Bent*, from *Milton*; and Capt. *Thomas Cobb*, from *Taunton*; were not qualified to have a Seat in this House.

After

After a Debate thereon,

*Voted*, That Col. *Otis*, Mr. *Tasler*, Mr. *Gibbs*, Mr. *James Bowdoin*, Col. *Cotton*, Col. *Winflow*, and Capt. *White*, take the Subject-Matter of the Suggestions under Consideration, and report what they judge proper for this House to act thereon.

The Orders of the House, prepared according to Order, were read and voted to be in Force for their better Regulation and Government. Orders of the House.

*Ordered*, That Mr. *Witt*, Capt. *Reed*, Mr. *Cushing*, Mr. *Stockbridge*, and Mr. *Lyman*, be the Monitors of the House, to see the Orders carefully observed and put in Execution. Monitor.

*Ordered*, That Mr. *James Bowdoin*, Mr. *Welles*, and Capt. *White*, be a Committee to prepare the Draft of an Impost Bill. Committee for Impost.

A Petition of sundry Inhabitants of the Town of *Sudbury*, representing the Illegality of the Choice of Mr. *John Noyes*, to represent the said Town; and praying he may not have a Seat in the House. Petition of Inhabitants of Sudbury.

Read and *Ordered*, That the Select-Men of the Town of *Sudbury*, attend this House on Tuesday the fifth of *June* next, at three o'Clock in the Afternoon, to give Answer to the Suggestions in the said Petition mentioned.

Mr. Deputy Secretary *Clark* brought down the List of the Names of the Gentlemen chosen Yesterday by both Houses to be Councillors or Assistants for the Year ensuing. List of Councillors brought down.

Read and *Ordered*, That Mr. *Welles*, Col. *Bradford*, Capt. *Williams*, Capt. *Livermore*, and Mr. *Cogswell*, be a Committee to wait upon His Honour the Lieutenant Governour with the said List of Councillors, for His Honour's Approbation of the Persons therein named, agreeable to the Direction of the Royal CHARTER.

Which was done by them accordingly.

Mr. Deputy Secretary brought down the List of Councillors or Assistants chosen Yesterday, signed by His Honour the Lieutenant Governour, in these Words, viz. Councillors accepted.

*I Consent to the Election of the several Gentlemen before mentioned.*

S. P H I P S.

On a Motion made and seconded, *Voted*, That Col. *Otis*, Col. *Partridge*, Col. *Richards*, Col. *Worthington*, and Capt. *White*, be a Committee to project some proper Method for a Supply of the Treasury, and report thereon as soon as may be. Committee for Supply.

*Ordered*, That Col. *Lawrence*, Mr. *Fletcher*, and Mr. *William Bowdoin*, prepare the Draft of an Excise Bill, and report thereon as soon as may be. Committee for Excise.

*Ordered*, That Col. *Winflow*, Capt. *Phips*, and Mr. *Downe*, be a Committee to prepare the Draft of a Tax Bill, and report thereon as soon as may be. Committee for Tax.

*Ordered*, That the Commissary-General be directed to lay an Estimate of the current Charge of the Year upon the Table, as soon as may be. Commissary directed.

*Ordered*,



Committee  
for County  
Treasurers  
Accompts.

*Ordered*, That Capt. *Joseph Williams*, Capt. *Elijah Williams*, Mr. *Gibbs* of *Salem*, Capt. *Livermore*, and Capt. *Richmond*, be a Committee to examine the County Treasurers Accompts thro' the Province, and report thereon.

Committee  
for Laws.

*Ordered*, That Mr. *James Russell*, Mr. *Welles*, Mr. *Natbanael Russell*, Mr. *Hunt*, and Capt. *Pratt*, be a Committee to inquire what Laws are expired or near expiring, and report thereon as soon as may be.

Chaplain.

On a Motion made and seconded, *Ordered*, That the Members from *Boston* acquaint the Reverend *Samuel Cooper*, that it is the Desire of the House, he would officiate for them as Chaplain.

### *Post Meridiem.*

A Message from His Honour the Lieutenant Governour, by Mr. Secretary, *viz.*

Mr. Speaker, His Honour directs the Attendance of this honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly ; when His Honour was pleased to make a SPEECH to both Houses ; of which Mr. Speaker obtained a Copy, and then with the House returned to their own Chamber.

His Honour's SPEECH is as follows, *viz.*

His Honour's  
SPEECH.

*Gentlemen of the Council and House of Representatives,*  
“ THE Anniversary Meeting of a General Assembly on a fixed Day  
“ of the Year, is one of the many Advantages which the People  
“ of this Province enjoy by the Royal Charter. They will expect  
“ from you, *Gentlemen*, a wise Improvement of this Priviledge, by a  
“ diligent Endeavour to promote His Majesty's Service, and their best  
“ Interest ; and I promise you I will heartily join with you therein.

*Gentlemen of the House of Representatives,*  
“ I was very glad to find, by the Enquiry made the last Year, that  
“ if the Debts owing to the Government were receiv'd, we should have  
“ been in a Capacity of answering all the Demands that were then a-  
“ gainst us. You are sensible, that it always takes considerable Time,  
“ after a Tax is granted, before Payment is made into the Treasury ;  
“ I therefore desire you now to make such seasonable Provision for  
“ the growing Charges, that the Servants of the Government may re-  
“ ceive their Pay when it becomes due, and yet the Publick be under  
“ no Necessity of incurring a new Debt.

*Gentlemen of the Council and House of Representatives,*  
“ I hope you will take into your Consideration such Affairs as are  
“ of the greatest Moment, at the Beginning of the Session, and give  
“ as great a Dispatch to them as may be. The several Sessions of the  
“ General Court last Year, were much shorter than usual ; and I am  
“ certain that it was then very agreeable to the Inhabitants to find so  
“ great a Saving to their Time and Money, and I believe they are  
“ now very desirous that you should follow so good a Precedent.

*Council Chamber*  
May 31st 1753.

*S. P H I P S.*  
Read

Read and *Ordered*, That His Honour's **SPEECH** be considered to Morrow Morning at nine o'Clock.

On a Motion made and seconded, *Ordered*, That the Journal of the House of Representatives, be printed; and that Col. *Lawrence*, Col. *Cotton*, and Capt. *Joseph Williams*, be a Committee to agree with a Printer on the most reasonable Terms for two Setts, one for each Member, and one for each Town in the Province. Journal ordered to be printed.

A Petition of Capt. *John Lane*, late of *St. George's* in the County of *York*, now Resident at *York*, representing his Services and Sufferings in the late Wars, and praying a Recompence &c. Petition of Capt. John Lane.

Read and committed to Col. *Winslow*, Mr. *Witt*, and Col. *Partridge*, to consider and report what they judge proper for this House to act thereon.

A Petition of sundry Inhabitants of *Bridgewater*, in the County of *Plymouth*, representing the Illegality of the Choice of Capt. *Josiah Edson*, to represent the said Town; and praying he may not have a Seat in this House. Petition of Inhabitants of Bridgewater.

Read and *Ordered*, That the Select-Men of the said Town attend this House on Tuesday the 5th of *June* next, at three o'Clock Afternoon, to give Answer to the Suggestions in the said Petition mentioned.

Mr. Secretary *Willard* laid on the Table, by Order of His Honour the Lieutenant Governour, a Letter from *William Lithgow*, Commander of *Richmond-Fort*, dated *May 13th 1753*. Letter from Capt. Lithgow

Also a Letter signed by a Number of the *Penobscot* Tribe of Indians, in Behalf of said Town, dated *April 25th 1753*.

Read and *Ordered*, That Col. *Cotton*, Mr. *Welles*, and Col. *Otis*, with such as the honourable Board shall join, be a Committee to take these Letters under Consideration, and report as soon as may be, what they judge proper for this Court to act thereon.

Sent up for Concurrence.

A Memorial of sundry Inhabitants and Freeholders of the Town of *Braintree*, in the County of *Suffolk*; shewing that Mr. *Samuel Niles* is not duly qualified to represent said Town, altho' the Select-Men have made a legal Return of the Precept &c. for as much as the said *Niles* refused to take the Oath in full respecting the passing and receiving other Governments Money, as the Law directs; they therefore pray he may not be allowed a Seat in this House. Memorial of Inhabitants of Braintree.

Read, and after a Debate, it appeared to the House that the said *Samuel Niles* had not taken the Oath required in the Act made and pass'd in the 22d Year of his Majesty King *George* the second, Intituled *An Act for drawing in the Bills of Credit of the several Denominations which have at any Time been issued by this Government, and are still outstanding, and for ascertaining the Rate of coin'd Silver in this Province for the future*: And that he still refus'd to take the said Oath as the Law directs: The Question was put, *Whether the said Samuel Niles hath a Right to a Seat in this House?* It pass'd in the Negative.

[George]

[Government]

And then the said Gentleman withdrew.

*Ordered*, That a Precept issue out for the Choice of a Person to represent the said Town the ensuing Year, the Return to be made on the first Day of the next Sitting of this Court.

Which was done accordingly.

Then the House adjourn'd till to Morrow Morning nine o'Clock.

# Veneris 1. Die Junii, A. D. 1753.

A Message  
from His Honour  
and the  
Board.

A Message from His Honour and the honourable Board by *John Chandler*, Esq; to inform the House, that *Eleazer Porter*, Esq; one of their Members, was elected a Councillor or Assistant for the Year ensuing ; and to desire he may be sent up to the Board, to be qualified for that Trust.

Ordered, That *Col. Partridge*, *Mr. Lyman*, and *Col. Wortbington*, attend upon *Eleazer Porter*, Esq; up to the honourable Board.

Which was done by them accordingly.

Letters from  
Gov. *Clinton*.

Mr. Secretary laid on the Table two Letters from his Excellency Governour *CLINTON* of *New-York*, to his Honour the Lieutenant Governour and Commander in Chief of this Province, respecting the Boundaries between the two Governments. Read.

Memorial of  
*Andr. Oliver*,  
Esq; &c.

A Memorial of *Andrew Oliver*, *Thomas Greene*, *Thomas Hubbard*, *Middlecot Cooke*, *Thomas Gunter*, *William Clark*, *Sylvester Gardiner*, and *William Bowdoin*, shewing, That a considerable Number of Gentlemen Inhabitants of this Province, have, from a single View to the Benefit and Advantage thereof, entred into a voluntary Subscription in order to raise Monies for promoting a Spirit of Industry, and employing the Poor amongst them ; that the said Gentlemen have appointed the Memorialists to inspect and manage their Affairs, and by a special Vote have directed them (the Memorialists) to apply to this Court for their Countenance and Assistance ; which they now do, and entreat their wise Consideration thereon, for the Reasons exhibited.

Read and Ordered, That *Mr. Welles*, *Col. Winslow*, *Col. Otis*, *Col. Buckminster*, *Col. Partridge*, *Col. Bradford*, and *Col. Lawrence*, with such as the honourable Board shall appoint, be a Committee to take the Subject-Matter of this Memorial under Consideration, and report what they judge proper for this Court to do thereon.

Sent up for Concurrence.

His Honour's SPEECH, according to the Order of the Day, was read again.

Memorial of  
*Ezekiel Gold-*  
*sbwait*, Esq;

A Memorial of *Ezekiel Goldsbwait*, Esq; in the Name and by Order of the Inhabitants of the Town of *Boston*, in the County of *Suffolk*, representing their present distressed Circumstances, and their great Proportion of the publick Taxes of the Province ; and praying this Court would take their present State under Consideration, and settle the Proportion of the said Town in their publick Assessments agreeable to the present State of the Town and Country ; or that they may be otherways relieved, for the Reasons mentioned.

Read, and Ordered, That *Col. Otis*, *Col. Bradford*, *Col. Cotton*, *Capt. Livermore*, *Major Gerrish*, *Col. Wortbington*, and *Col. Richards*, be a Committee to take the Subject-Matter of this Petition under Consideration ; and that the said Committee make particular Inquiry, whether the Inhabitants of the Town of *Boston* have complied with the several Orders and Resolves of this Court, respecting the Taxes that have been imposed upon them ; and that the Committee give Notice to the Select-Men and Assessors of the Town of *Boston* of the Time and Place of their Meeting, that so they may attend, if they see cause.



A Petition of *Anthony Glazier* of *Boston*, as entred in *April* last, and refer'd. Read again, and committed to *Col. Richards*, *Mr. Cogswell*, and *Capt. Haywood*, to consider and report thereon. Petition of *Anthony Glazier*.

A Petition of *Rebecca Wellington*, as entred in *April* last, and refer'd. Read again, and committed to *Capt. Livermore*, *Capt. Reed*, and *Mr. Campbell*, to consider and report thereon. Petition of *Rebecca Wellington*.

A Memorial of *Florentius Vassall* of the Island of *Jamaica*, Esq; now residing at *Boston* in *New-England*, as entred the 13th of *April* last, and refer'd. Memorial of *Florentius Vassall*, Esq;

Read again, and Ordered, That this Memorial be committed to *Capt. Livermore*, *Col. VVortibington*, *Capt. Brigham*, *Mr. VVelles*, and *Capt. Richmond*, to consider and report thereon; and that the Committee be directed to view the Plan of the Lands mentioned in said Memorial.

A Memorial of *Jacob Hatterick*, and other German Protestants, shewing, that upon the Encouragement of this Government, in Consequence of a Grant of Land for the Settlement of a Township on certain Conditions, they have been induc'd at a great Expence to come into *America*, and are now in *Boston*; and desire the Direction and Assistance of this Court with Respect to their Settlement &c. Memorial of German Protestants.

Read and committed to *Col. Partridge*, *Mr. Murray*, and *Mr. Moseley*, to consider and report thereon.

The Committee to whom was refer'd the Consideration of the Qualification of *Mr. Joseph Bent*, returned Representative of the Town of *Milton*, respecting his Right to a Seat in this House, have considered the same, and reported, that they have enquired into the Suggestions, and find them groundless, and are therefore of the Opinion that he sets right in this House. Report on the Qualifications of divers Members, viz. *Mr. Jos. Bent*.

Read and accepted.

The Committee appointed to take under Consideration the Qualification of *Capt. Thomas Cobb*, returned Representative from *Taunton*, respecting his Right to a Seat in this House, reported, that there was no Proof to support the Suggestions alledg'd against the Qualification of the said *Thomas Cobb*, and are therefore of Opinion that he has a Right to a Seat in this House. Capt. *Thomas Cobb*.

Read and accepted.

The Committee to whom was refer'd the Consideration of the Qualification of *Nathanael Oliver*, Esq; as a Member of this House, reported, that it is their Opinion, that the said Gentleman has no Right either by the Charter, or Laws of this Province, to a Seat in this House. Nath. Oliver, Esq;

Read and accepted.

The Committee to whom was refer'd the Consideration of the Qualification of *Nathanael Sparhawk*, Esq; returned Representative from *Kittery*, as a Member of this House, have inquired into that Matter, in Part; and as this Affair is attended with some Difficulty, which probably may be removed, if further Time is allowed for it; and (as the said Gentleman desires this Favour) they are humbly of Opinion, that a further Time be allowed him for that Purpose; and the said Committee desire Leave to sit again. Nath. Sparhawk, Esq;

Read and accepted.

**Petition of Inhabitants of Green-River.** A Petition of the Inhabitants of a Place called *Green-River* in *Deerfield*; shewing they are under great Difficulty in attending the publick Worship of GOD in the Town of *Deerfield*; and as the said Town have voted them off, according to certain Bounds determined by a Committee mutually chosen; they therefore pray they may be made a distinct District, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of this Petition be so far granted, as that the Representative from *Deerfield*, have Liberty to bring in the Draft of a Bill for the Purpose mentioned.

**Memorial of Richard Hazen** A Memorial of *Richard Hazen* late of *Haverhill*, representing the great Difficulties and Distresses he labours under by the late running of the divisional Line between the Provinces of *Massachusetts-Bay* and *New-Hampshire*, and praying the compassionate Consideration of this Court thereon.

Read and committed to Mr. *Allen*, Col. *Worthington*, Mr. *Welles*, Col. *Winslow*, and Col. *Otis*, to consider and report what they judge proper for this House to do thereon.

**Report on a Tax Bill.** The Committee appointed to prepare the Draft of a Tax Bill, reported, they had prepared the same.

Which was read a first Time, and *Ordered*, That the Bill be read a second Time to Morrow Morning ten o'Clock.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

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## Sabbati 2. Die Junii, A. D. 1753.

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**Excise Bill.** A Bill Intitl'd *An Act for granting unto his Majesty an Excise upon Wines and Spirits distilled sold by Retail, and upon Limes Lemmons and Oranges.* Read a first Time, and *Ordered*, That this Bill be read a second Time on Tuesday Morning next at ten o'Clock.

**Petition of the Town of Berkley.** A Petition of the Select-Men of *Berkley*, in the County of *Bristol*, shewing, they have by their Mis-management lost the Benefit they might have had, at their last *March* Meeting respecting the Choice of Town Officers for the Year ensuing; they therefore pray the Compassion of this Court, that they may now be enabled to make a Choice of said Officers, the Time therefor, by Law being elapsed notwithstanding.

Read (together with the Petition of the Select-Men of *Sunderland* representing the same Difficulties by their Imprudence) and *Ordered*, That *Samuel White*, Esq; prepare proper Votes to be pass'd by this House upon the said Petitions.

**Order relating to his Honours Grant.** On a Motion made and seconded, *Ordered*, That the House take under Consideration a Grant to his Honour the Lieutenant Governour, on Wednesday next at ten o'Clock in the Forenoon.

**Order on the Choice of civil Officers.** *Ordered*, That the Election of Civil Officers be proceeded on at three o'Clock on Tuesday next in the Afternoon.

**Treasurer directed.** *Ordered*, That the Treasurer be directed to lay on the Table his General Acconpts with the Province, since the first of *February* last, as soon as may be.

**Commissary directed.** *Ordered*, That the Commissary-General be directed to lay on the Table his General Acconpt with the Province, as soon as may be.

*Ordered,*



*Ordered*, That the several Committees appointed the 11th of *April* last, to inquire into the Circumstances of the Arrearages of fundry Sheriffs and Constables thro' the Province, be directed to report thereon as soon as may be. Order on Committees re-  
porting.

On a Motion made and seconded, *Voted*, That the Charge of the Travel of the Members of the General Court to and from the Court-House, shall be paid out of the publick Revenue ; and that Col. *Partridge*, Col. *Workington*, and Col. *Otis*, prepare the Draft of a Bill accordingly. Vote relating  
to traveling  
Charges.

The House proceeded to fine the Towns which are delinquent in sending a Representative the present Year, as follows, *viz.* Towns fined.

<i>Walpole</i> ,	£. 8	<i>Plymouth</i> ,	£. 26
<i>Wenham</i> ,	10	<i>Rochester</i> ,	18
<i>Westford</i> ,	9	<i>Halifax</i> ,	7
<i>Hopkinton</i> ,	8	<i>Freetown</i> ,	14
<i>Sunderland</i> ,	5	<i>Norton</i> ,	20
<i>Dudley</i> .	5	<i>Easton</i> ,	10
<i>Westborough</i> ,	12	<i>Biddeford</i> ,	14
<i>Grafton</i> ,	8		

A Bill Intituled *An Act for granting unto His Majesty several Rates and Duties of Impost and Tonnage of Shipping.* Impost Bill.

Read a first Time, and *Ordered*, That the Bill be read a second Time on Tuesday at ten o'Clock in the Forenoon.

*Ordered*, That the Sum of *nine Thousand Pounds* be rais'd in the next Tax Act, exclusive of the Representatives Pay.

The Committee to whom was refer'd the Consideration of the Petition of the Town of *Boston*, respecting their present State, and Distress occasioned by their Taxes &c. as entred the 31st ult. made report in Part, *viz.* Report on the  
Petition of the  
Town of  
*Boston*.

That they had met upon that Affair, and were attended by the Select-Men and Assessors of the Town of *Boston* ; who (upon Inquiry) inform'd them, that the Tax impos'd upon the said Town as their Proportion of the Repairs of the Court-House was not assessed by them ; they apprehending that it was not inserted in the Tax Bill ; but only by a Resolve of this Court ; therefore could not inforce the Collection of it when assessed :

The Committee therefore are humbly of Opinion, that the Proportion of the Tax impos'd upon the Town, for the Repairs of the said Court House, be inserted in the Tax Bill now before the House.

Then the Committee desired Leave to sit again.

*Ordered*, That this Report be accepted, and that it be an Instruction to the Committee appointed for that Purpose, to insert the said Proportions, as also the Proportion of any other Towns in the County of *Suffolk*, who have not complied with the Resolve of this Court in the said Tax Bill : And that the Committee have Liberty to meet again accordingly.

Then the House adjourn'd till to Tuesday next ten o' Clock in the Forenoon.

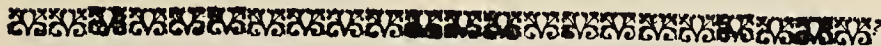






# VOTES

Of the House of Representatives.



Mar<sup>tis</sup> 5. Die Junii, A. D. 1753.

Bill Intituled *An Act for erecting the Northeasterly Part of the Town of Deerfield into a seperate District.*

Read a first Time.

And

*Ordered*, That the Bill be read a second Time at four o' Clock Afternoon.

The Petition of the Select-Men of the Town of *Berk'ley*, as entred 2d Currant, and refer'd. Read again, and *Ordered*, That *Abel Burt* and *George Caswell*, two of the Select-Men of the Town of *Berkley*, for the Year 1752, be, and they hereby are directed and impowred to issue their Warrant to the Constable of said Town for the Year 1752, to call a Meeting as soon as may be, to make Choice of the several Town Officers for the Year currant, which should have been chose in the Month of *March* last; and the said Town Officers when chosen shall be as much obliged (to all Intents and Purposes) to serve in the said Offices to which they shall be respectively chosen, as tho' the Choice of them had been made in *March* last.

Order on the  
Petition of  
*Berkley*.

Sent up for Concurrence.

The Bill Intituled *An Act for granting unto His Majesty several Rates and Duties of Impost and Tonnage of Shipping.*

Impost Bill  
engros'd.

Read a second and third Time, and pass'd to be engros'd.

Sent up for Concurrence by Col. *Otis*, Capt. *White*, and Mr. *Milliken*.

The Committee appointed to examine the Accompts of the County Treasurers through the Province, reported on the Accompt of the Treasurer for the County of *York*, according to Order.

Report on the  
Accompt of  
*York* County  
Treasurer.

Read and accepted, and thereupon *Ordered*, That the said Accompt be allowed, and that the Ballance thereof being *one Pound seventeen Shillings and seven Pence*, the said Treasurer be further accountable to the said County for.

Sen. up for Concurrence.

An Accompt of the Trustees of the Indians of *Hassanamisco* alias *Grafton*, appointed by the General Court on the Sale of their Lands, ending the 19th of *March* last, was presented for Allowance.

Trustees for  
Indians Ac-  
compt.

E

Read

Read and committed to Col. *Worthington*, Capt. *Joseph Williams*, and Capt. *Spurr*, to consider and report thereon.

Excise Bill. A Bill Intituled *An Act for granting unto his Majesty an Excise upon Wines and Spirits distilled sold by Retail, and upon Limes Lemmons and Oranges.* Read a second and a third Time, and pass'd to be engross'd.

Sent up for Concurrence by Mr. *Allen*, Capt. *Whitney*, and Capt. *White*.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Mercurii 6. Die Junii, A. D. 1753.

Petition of  
*Ephraim Gates*  
bro't down, &  
Order thereon

*John Otis*, Esq; brought down the Petition of *Ephraim Gates*, as entered the 6th of *April* last, and refer'd. Pass'd in Council, viz. In Council *June* 5th 1753. The foregoing Petition was read, together with the Answer of *Josiah Gibbs*, and it appearing to the Board, that the Respondent has conceded that he has received to the Amount of *eight Pounds five Shillings and four Pence* of the Sum mentioned in the Execution, and that there is a Mistake in computing said Debt (as set forth by the Petitioner) amounting to *five Pounds twelve Shillings*, which several Sums (with *one Shilling and four Pence* for the Execution) being deducted out of the Sums mentioned in the Judgment of Court, there remains due the Sum of *sixty nine Pounds eleven Shillings* only: Wherefore Ordered, That the Execution aforesaid be and the same is hereby superseded, and declared void; and the Clerk of the Superiour Court is hereby authorized and directed to issue Execution for the Sum of *sixty nine Pounds eleven Shillings* only, in Discharge of the Debt mentioned. Sent down for Concurrence.

Read and concur'd.

Report on the  
Petition of  
the German  
Protestants.

The Committee appointed to take under Consideration the Petition of sundry foreign Protestants, reported thereon according to Order.

Read and accepted, and thereupon the following Vote pass'd, viz.

Read, and it appearing that in the Year 1749, this Court granted four Townships in order to encourage foreign Protestants to come and settle in this Government, and granted a Farm of Land in each of said Townships to Mr. *Joseph Crellius*, in Case he caused to be settled in each of said Townships one Hundred and twenty Families by the Time limited in said Grants, but it appearing also that the said Mr. *Crellius* has failed of bringing forward said Settlement, and that the poor Petitioners are left without any Aid: Therefore,

Voted, That Col. *Partridge*, and Col. *Worthington*, with such as the honourable Board shall join, be a Committee to lay out thirty one House Lots, not exceeding ten Acres each, contiguous to each other, in the German Town, so called, at Fort *Massachusetts*, and also so much of the Interval Lands in said Township to each of said House-Lots, as shall make up an 123 Part thereof, considered with Relation to Quantity and Quality, and that the Petitioners have Liberty to settle upon and improve said Lands, agreeable to the original Grant of the Court; and further, that said Committee lay out in said Township forty eight House Lots more, not exceeding ten Acres each, one for the first settled Protestant Minister, one for the Ministry, and one for the School, and also divide the Remainder of the Interval Lands in forty eight equal Shares or Rights, consider'd as aforesaid with Relation to Quan-



city and Quality, one of which shall be for the first settled Minister; and one for the School: And in as much as the Petitioners have signified their Desires that some English Families may be admitted as Settlers with them on the same Lands, that therefore the said Committee admit forty five Settlers in Addition to the Petitioners, each of which forty five Settlers shall pay to the said Committee for the Use of the Government, the Sum of *six Pounds thirteen Shillings & four Pence*, and shall give Bond in the Sum of *fifty Pounds* to said Committee to perform the like Conditions of Settlement from this Time forward, as were enjoined in the original Grant of the Township, and that in all after Divisions of Lands in said Town, the Petitioners shall each of them have an 123 Part thereof, and that the Remainder of the Township shall be divided to and among the other admitted Settlers, with the publick Rights aforementioned, each an equal Part, and that the original Grant made in said Township to Mr. *Joseph Crellius* is hereby declared void and forfeited to the Government, he not having complied with the Conditions thereof. Sent up for Concurrence.

The Select-Men and several others of the Town of *Bridgewater*, being at the Door, were admitted into the House, and were heard both for and against the Legality of the Choice of a Representative, and then withdrew. Resolve on  
Capt. Edson's  
Choice.

And after due Consideration thereon, the Question was put,  
*Whether it appears that Capt. Josiah Edson has a Right to a Seat in this House?* Resolved in the Affirmative.  
And the said Gentleman took his Seat in the House accordingly.

The Select-Men and others, Petitioners of the Town of *Sudbury*, respecting the Choice of a Representative, attending at the Door, were admitted upon the Floor, and being fully heard for and against the Legality of their Choice of the Representative; they withdrew. Resolve on  
Mr. Noyes's  
Choice.

And after Consideration of the Petition of fundry Inhabitants of *Sudbury*, against the Legality of the Choice of Mr. *John Noyes*, the Question was put,

*Whether it appears to this House, that Mr. John Noyes has a Right to a Seat in this House?* Resolved in the Affirmative.

And it evidently appearing to the House, after a Debate, that the said Petition was without the least Foundation,

*Resolved*, That the said Petition be dismiss'd as groundless and vexatious.

*Ordered*, That a Precept issue out to the Select-Men of the Town of *Hadley* and District of *South-Hadley*, that they call a Meeting of the Inhabitants, to make Choice of a Representative, (if they see Cause) in the Room of *Eleazer Porter*, Esq; who is elected a Councillor or Assistant for the Year ensuing. Precept for  
*Hadley*.

A Bill Intituled *An Act for erecting the Northwesterly Part of the Town of Deerfield into a seperate District*,

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

*Ordered*, That Mr. *Gibbs* go up to the honourable Board, and acquaint them the House propose to proceed to the Choice of Civil Officers for the ensuing Year, at four o'Clock Afternoon; and desire they would join with the House therein. Message to  
the Board.

Who returned he had delivered the Message.

*Samuel*

Message from the Board. *Samuel Watts, Esq;* came down from the honourable Board, and informed the House the Board agree with them respecting the Choice of Civil Officers at the Time propos'd.

Question on the Choice of a Treasurer. On a Motion made and seconded, and a long Debate had thereon, the Question was put,

*Whether the Province Treasurer shall for the future be obliged to enter into Bonds with two sufficient Sureties to a Committee annually to be appointed by this Court, for the faithful Discharge of his Trust in that Capacity?*

Resolved in the Affirmative.  
Sent up for Concurrence.

## Yeas.

Yeas &amp; Nays.

*Mr. James Bowdoin,*  
*Capt. Joseph Williams,*  
*Robert Spurr, Esq;*  
*Mr. Joseph Bent,*  
*Capt. Thomas Pratt,*  
*Mr. Jacob Cushing,*  
*Joseph Richards, Esq;*  
*Mr. Peter Coolidge,*  
*Mr. John Goldsberry,*  
*Mr. Joseph Hewin,*  
*Mr. Jonathan Adams,*  
*Mr. Benjamin Greenleaf,*  
*Joseph Gerrish, Esq;*  
*Capt. Benjamin Newball,*  
*Capt. Henry Herrick,*  
*Mr. Thomas Lancaster,*  
*Mr. Abraham Morrell,*  
*Nathanael Peaslee, Esq;*  
*Capt. Benjamin Milliken,*  
*Mr. Jonathan Foster,*  
*Mr. Elijah Porter,*  
*Mr. James Russell,*  
*Mr. John Hunt,*  
*Mr. Epbraim Jones,*  
*Mr. Edward Walker,*  
*Ebenezer Nichols, Esq;*  
*Mr. Samuel Witt,*  
*William Lawrence, Esq;*  
*Capt. Enoch Kidder,*  
*Joseph Buckminster, Esq;*  
*Mr. Epbraim Spaulding,*  
*Isaac Coolidge, Esq;*  
*Joses Bucknam, Esq;*  
*Mr. Nathanael Russell,*  
*Mr. Ebenezer Littlefield,*  
*John Worthington, Esq;*

## Nays,

*Samuel Welles, Esq;*  
*James Allen, Esq;*  
*Mr. William Bowdoin,*  
*Henry Gibbs, Esq;* *Salem,*  
*John Tasker, Esq;*  
*Mr. William Fletcher,*  
*David Phips, Esq;*

## Yeas.

*Oliver Partridge, Esq;*  
*Elijah Williams, Esq;*  
*David Moseley, Esq;*  
*John Sherman, Esq;*  
*Joseph Wilder, Esq;*  
*Capt. William Ayres,*  
*Thomas Steel, Esq;*  
*Mr. John Murray,*  
*Mr. Phineas Haywood,*  
*Mr. Duncan Campbell,*  
*Capt. Nathan Tyler,*  
*Mr. Daniel Greenwood,*  
*Capt. Timothy Brigham,*  
*Capt. Jonathan Whitney,*  
*Mr. John Whitcomb,*  
*Capt. Moses Marcy,*  
*Mr. Josiah Taft,*  
*Mr. Ensign Otis,*  
*Gamaliel Bradford, Esq;*  
*Capt. Josiah Edson,*  
*Mr. Israel Turner,*  
*Mr. Isaac Bonny,*  
*Capt. Nathanael Smith,*  
*David Stockbridge, Esq;*  
*James Otis, Esq;*  
*Roland Cotton, Esq;*  
*John Freeman, Esq;*  
*Samuel White, Esq;*  
*Capt. Thomas Cobb,*  
*Mr. Benjamin Day,*  
*Mr. William Slade,*  
*Mr. John Bradbury,*  
*Mr. Nathanael Wells,*  
*Jedediah Prebble, Esq;*  
*Edward Milliken, Esq;*

## Nays,

*Henry Gibbs, Esq;* *Newton,*  
*Capt. Benjamin Reed,*  
*Samuel Livermore, Esq;*  
*Mr. Stephen Hall,*  
*John Chandler, Esq;*  
*Capt. Nathanael Sele.*

*Resolved,*

*Resolved*, That the Province Treasurer be obliged to take an Oath for the faithful Discharge of his Trust in that Office. Resolve relating to the Treasurer.  
Sent up for Concurrence.

### *Post Meridiem.*

The Petition of *Ephraim Sartwell* of *Groton*, in the County of *Middlesex*, Guardian to *Nathan Farnsworth* of said Town, a Person *non Compos*, praying Liberty to sell Land belonging to him, for his Support. Petition of *Ephraim Sartwell*.  
Read and committed to *Capt. White*, *Col. Lawrence*, and *Capt. Nichols*, to consider and report thereon.

The Committee appointed to consider the Petition of sundry Inhabitants of the Town of *Sunderland*, reported thereon, and the following Vote passed, *viz.* Report on the Petition of Inhabitants of *Sunderland*.

*Whereas there are sundry Disputes arisen in the Town of Sunderland, relating to the several Town Officers that were chosen in said Town for the Year 1752, they having omitted to take the Oath required by the Act made in the 22d Year of his present Majesty's Reign Intituled An Act for drawing in the Bills of Credit &c.* Therefore,

*Ordered*, That the said Town Officers chosen for the Town of *Sunderland* for the Year 1752, upon their taking the Oath aforesaid, be and are hereby confirmed in their respective Offices to which they were chosen, and that the several Transactions and Proceedings of the Inhabitants of said Town at their several Town Meetings the Year past, (that are in every other Respect agreeable to Law) shall be deemed good and valid to all Intents and Purposes; the Omission aforesaid notwithstanding. And further *Ordered*, That the Select-Men of the said Town of *Sunderland* for the Year 1752, are hereby directed and impowred to issue their Warrant directed to the Constable of said Town for the Year 1752, to call a Meeting of said Town as soon as may be, to make Choice of the several Town Officers for the Year current, which should have been chosen in the Month of *March* last; and the said Town-Officers when chosen shall be as much obliged (to all Intents and Purposes) to serve in the said Offices to which they shall be respectively chosen, as tho' they had been chosen in the Month of *March* last.

Sent up for Concurrence.

A Petition of *Zephaniab Morton*, *George Morton*, and *Rebecca Morton*, Children of *George Morton*, late of *Plymouth*, in the County of *Plymouth*, deceased, and *Joseph Warren*, Guardian to *William Morton*, a Minor Son of *William Morton*, deceased, and Guardian of the said *George Morton*, deceased, praying that a Division of the Estate in the Petition mentioned, may be confirmed by this Court. Petition of *Zephaniab Morton*, &c.

Read and committed to *Mr. Russell*, *Mr. Otis*, and *Col. Lawrence*, to consider and report thereon.

*Ordered*, That the Consideration of a Grant to His Honour, be refer'd for Consideration till to Morrow.

*Ordered*, That *Col. Otis* go up to the honourable Board, to acquaint them the House are now ready to proceed to the Choice of Civil Officers, and propose to begin with the Choice of a Province Treasurer.

Who returned he had delivered the Message.

Message to the Board.

*John Candler*, Esq; came down and informed the House they were also ready.

*Ordered*, That *Col. Otis*, *Col. Buckminster*, and *Col. Lawrence*, be a Committee to carry up the Votes of the House for the Choice of Civil Officers, assist in sorting & counting them, together with the Votes of the honourable Board, and report the several Elections that shall be made.



But before the House proceeded to vote, *Thomas Hutchinson*, Esq; brought down the Vote of this Morning respecting the Province Treasurer's being for the future under Bonds &c.

Pass'd in Council, *viz.* In Council *June 6th 1753.* Read and nonconcur'd, except what relates to the Treasurer's being obliged to be under Oath before his entering upon his Office, to which the Board agree. Sent down for Concurrence.

Read and nonconcur'd, and the House adhere to their own Vote.

Sent up for Concurrence by Mr. *Allen*, Col. *Otis*, Mr. *Wells*, Col. *Cotton*, Mr. *Fletcher*, Capt. *White*, and Col. *Winslow*.

Message from the Board.

A Message from the honourable Board by *Isaac Royal*, Esq; that the above Vote was again nonconcur'd; and desire the House will now proceed to the Choice of a Province Treasurer.

Message to the Board.

The House after Consideration thereon, voted that the following Resolution be sent up to the honourable Board by Col. *Cotton*, Col. *Partridge*, Col. *Winslow*, Capt. *Pratt*, and Mr. *Phips*, *viz.*

The House apprehending it inconsistent with the Interest of the Province, that hereafter any Gentleman should sustain the Office of a Treasurer of this Government, unless he be under Bond, with Sureties, for the faithful Discharge of his Office; therefore are determined not to proceed to the Choice of such Officer, until Provision be made that such Officer give Security before he enter upon the Execution of said Office.

Report on Worcester County Treasurer's Accounts.

The Committee appointed to examine the County Treasurer's Account for the County of *Worcester*, reported thereon, and the following Vote passed, *viz.*

*It appearing that the Payments by the said Treasurer made, including his own Commissions, amount to ninety one Pounds thirteen Shillings and one Penny, which with the Sum of six Pounds thirteen Shillings and five Pence outstanding of the Town of Woodstock's Tax for the Year 1752, balances said Account; which Sum of six Pounds thirteen Shillings and five Pence the said Treasurer is further accountable to said County for, as also the Sum of twenty one Pounds nineteen Shillings & four Pence, new Tenor Bills outstanding of said Town of Woodstock's Taxes for the Years 1748 and 1749; as also the Sum of three Pounds fifteen Shillings and eight Pence Lawful Money laid on said Town in 1750, and six Pounds thirteen Shillings and five Pence, in the Year 1751: Each and every of which Sum and Sums laid on the Town of Woodstock aforesaid, the said Treasurer is to be further accountable for, as he shall receive the same.*

Sent up for Concurrence.

Report on Petition of Capt. John Lane.

The Committee appointed to consider the Petition of Capt. *John Lane*, reported thereon.

Read and accepted, and thereupon Voted, That the Petitioner be placed as a Supernumerary at the Block-House on *Saco River* on private Centinel's Pay and Subsistence (if the Commander in Chief sees Cause) 'till otherwise provided for. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.



**Jovis 7. Die Junii, A. D. 1753.**

**A** Petition of *Peter Bent* and others, as entred the 3d of *April* last, and refer'd. Pass'd in Council, *viz.* In Council *June* 6th 1753. Read again together with the Answer of *Joseph Woods*, and the Matter being fully considered, *Ordered*, That this Petition be dismiss'd. Sent down for Concurrence. Read and concur'd.

Petition of  
*Peter Bent.*

A Petition of *Ezra Harwood*, of the District of *Danvers*, in the County of *Essex*, now in Goal in *Salem*, in the said County, representing his distressed Circumstances, and praying Relief from this Court. Read and committed to Mr. *Gibbs* of *Salem*, Col. *Worthington*, and Col. *Richards*, to consider and report thereon.

Petition of  
*Ezra Harwood.*

*John Hill*, Esq; brought down the Petition of a Committee of the Town of *Dunstable*, as entred the 4th of *April* last, and refer'd. Pass'd in Council, *viz.* In Council *June* 5th 1753. Read again, together with the Answer of the Inhabitants of that Part of *Groton* commonly called *Joint-Grafs*, and likewise *William Lawrence*, Esq; being heard in Behalf of the Town of *Groton*, and the Matter being fully considered, *Ordered*, That the Prayer of the Petition be so far granted, as that *Joseph Fletcher*, *Joseph Spaulding*, *Samuel Comings*, *Benjamin Robbins*, *Timothy Read*, *John Swallow*, *Joseph Parkhurst*, and *Ebenezer Parkhurst*, Jun. with their Families and Estates, and other Lands petitioned for, be set off from the Town of *Groton*, and annexed to the Town of *Dunstable*, agreeable to the Vote of the Town of *Groton* on the 18th of *May* 1747, to receive Priviledge and do Duty there, provided that *Timothy Read*, Constable for the Town of *Groton*, and Collector of the said Parish in said Town the last Year, and *Joseph Fletcher*, Constable for the said Town this present Year, finish their Collection of the Taxes committed or to be committed to them respectively; and also that the said Inhabitants pay their Proportion of the Taxes that are already due or shall be due to the said Town of *Groton* for the present Year, for which they may be taxed by the Assessors of *Groton*, as tho' this Order had not pass'd: provided also, that the Meeting House for the publick Worship of GOD in *Dunstable* be erected agreeable to the Vote of *Dunstable* relating thereto in *May* 1753. Sent down for Concurrence. Read and concur'd.

Order on the  
Petition of  
*Dunstable*  
bro't down.

The Petition of *Ephraim Sartwell* of *Groton* in the County of *Middlesex*, Guardian to *Nathan Farnsworth* of said *Groton*, a non Compos, as entred Yesterday, was read again, and thereupon the following Vote passed, *viz.*

Petition of  
*Eph. Sartwell*,  
and Order  
thereon.

*Ordered*, That the Prayer of this Petition be so far granted, as that the therein named *Ephraim* in his Capacity be and hereby is impowred to make Sale of the real Estate therein mentioned, for the most the same will fetch, and to execute in due Form of Law, a good Deed or Deeds of the same; he observing the Directions of the Law respecting the Sale of Real Estates; and out of the Proceeds of said Sale to pay the just Debts now due from the therein named *Nathan*; and that the Overplus arising by said Sale (if any there be) to be applied for the Support of the said *Nathan*; and that the said *Ephraim* give Caution to the Judge of Probate for the County of *Middlesex*, that the same shall be applied accordingly; and that the Remainder of said Estate (if any there be) after the Death of the said *Nathan*, shall be divided among the lawful Heirs of the said *Nathan*, agreeable to Law.

Sent up for Concurrence.

*John*

Petition of  
*Brookfield* In-  
habitants.

*John Otis*, Esq; brought down the Petition of five Inhabitants of *Brookfield*, as entred the 29th of *March* last, and refer'd. Pass'd in Council, viz. In Council *June* 6th 1753. Read again, with the Memorial of the Town of *Brookfield*, and Ordered, That *Eleazer Porter*, Esq; with such as the honourable House shall join, be a Committee to hear the Parties, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Capt. *Reed* and Capt. *Whitney*, are joined in the Affair.

Petition of  
*Jer. Ballard*,  
bro't down.

*Sylvanus Bourne*, Esq; brought down the Petition of *Jeremiah Ballard*, as entred the 4th of *April* last, and refer'd. Pass'd in Council, viz. In Council *June* 7th 1753. Read again, together with the Answer of the nonresident Proprietors, and Ordered, That *Samuel Watts*, and *George Leonard*, Esqrs; with such as the honourable House shall join, be a Committee to take the within Petition and Answer under Consideration, to hear the Parties, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Col. *Buckminster*, Col. *Lawrence*, and Capt. *Prebble*, are joined in the Affair.

### *Post Meridiem.*

Petition of  
*Nathan Osgood*.

The Petition of *Nathan Osgood* of *Salem*, in Right of his Wife, who is one of the Heirs of *John Buttolph*, formerly of *Boston*, deceas'd, and as Attorney to all the other Heirs of the said *Buttolph*, who are of Age, and as Executor of *John Buttolph*, deceased; was read again, and Ordered, That Col. *Bradford*, Capt *Newhall*, and Capt. *Joseph Williams*, take this Petition under Consideration, and report what they judge proper for this House to do thereon.

Petition of  
*Joseph Kellogg*,  
Esq;

A Petition of *Joseph Kellogg*, Esq; shewing, that in the Year 1736, he received a Warrant from Governour *BELCHER*, to be the Interpreter for this Province to the Indian Nations; that he has attended that Service sundry Times, for which he has received no Recompence; he therefore prays the Consideration of this Court, that he may be allowed as they shall judge reasonable.

Read and committed to Mr. *Welles*, Mr. *Witt*, and Col. *Partridge*, to consider and report thereon.

Report on'the  
Account of  
*Middlesex*  
County Treas-  
urer.

The Committee appointed to examine the County Treasurers Accounts thro' the Province, reported on the Account of the Treasurer for the County of *Middlesex*.

Read and accepted, and thereupon Ordered, That the Account be allowed, and that the Balance thereof, being *eighty four Pounds nine Shillings & seven Pence*, the said Treasurer be further accountable for.

Sent up for Concurrence.

Gay-Head In-  
dians Petition.

The Petitions of the Indians at *Gay-Head*, came down from the honourable Board. Pass'd in Council, viz. In Council *June* 5th 1753.

Read and Ordered, That the Consideration of this Petition be refer'd to the next Sitting of this Court.

Sent down for Concurrence.

Read and concur'd.

His Honour's  
Grant.

The House, agreeable to the Order of the Day, entred into the Consideration of a Grant to His Honour the Lieutenant Governour. And Voted, That *three Hundred and forty Pounds* be allowed His Honour for his past Services, and further to enable him to proceed in the Business of the Government; and that Mr. *Welles*, Mr. *James Bowdoin*, and Mr. *Allen*, bring in a Bill accordingly.

*Ordered,*

Ordered, That the Bill Intituled *An Act for the Supply of the Treasury with the Sum of nine Thousand Pounds, and for apportioning the same, and for drawing it into the Treasury &c.* be read a second Time to Morrow Morning ten o'Clock; and that the Representatives of *Boston* are then to be heard upon their Proportion of the Tax &c.

Order on the Supply Bill.

Sir *William Pepperrell*, Baronet, *Josiah Willard*, *Jacob Wendell*, and *Ezekiel Cheever*, Esqrs; brought down the following Message, which Sir *William* read, and then laid the same on the Table.

Message from the Board relating to a Treasurer.

The Message was read again, and is as followeth, viz:

In Council 7th June 1753.

Voted, That the following Message be sent to the honourable House of Representatives,

The Board taking into Consideration the Proceedings between the two Houses, on Yesterday, respecting the Choice of a Province Treasurer, cannot help expressing their Surprise and Concern at the Conduct of the honourable House:—The House were pleas'd to pass a Vote, requiring the Treasurer that should be chosen to give Bond with Sureties, and to be under Oath; The Board concur'd so far as related to the Oath; The honourable House did not agree to the Amendment of the Board, but insisted on their Vote as first sent up; to which the Board a second Time refused their Concurrence. — Whereupon the honourable House forthwith pass'd a Resolve that they were determined not to proceed to the Choice of a Treasurer until Provision be made that he shall give Security before he enter upon the Execution of his Office; which Resolve they order to be sent up by a large Committee to the Board, where it was read by the Clerk of the honourable House:—This Proceeding is new and unprecedented. Are the Resolves of the House of Representatives to govern the Board? Are not the Board a distinct Branch of the Legislature? And had not they equal Right by a Resolve of their own, to declare that they were determined they would not proceed to the Choice of a Treasurer, or any other Officer, unless it could be done in the same un-encumber'd Manner it had been for sixty Years past? But the Board are sensible such a Proceedure would have been unparliamentary, and that upon either House disagreeing to the Amendments of the other, the Method has been to propose a Conference, or else to offer Reasons by a Message against such Amendments; either of which Methods the Board always have been, and still are ready to go into: But the honourable House, by a peremptory Resolve declare, in Effect, that they will decline all Correspondence with the Board.

The Board think it incumbent upon them, on this Occasion, to declare, That they will preserve their Judgments free and independent; and that it is not the Orders or Resolves of any other Branch of the Legislature, but His Majesty's Service, and the Interest of the Province, which shall govern and influence all their Votes.

Read and Ordered, That Col. *Otis*, Col. *Partridge*, Col. *Worthington*, Col. *Cotton*, and Capt. *White*, be a Committee to prepare an Answer to the abovementioned Message.

Committee on a Reply to the above Message.

Who withdrew, and after some Time spent therein, reported that they had prepared an Answer according to Order; which was read and accepted, and sent up to the honourable Board by Col. *Worthington*, Col. *Cotton*, Col. *Otis*, Mr. *Fletcher*, Capt. *White*, Capt. *Livermore*, and Col. *Richards*.

The Answer to the said Message was read, and is as follows, viz.



Message to the  
Board in An-  
swer to their  
last Message.

The House, as they have always shewn a Disposition to cultivate and maintain a good Harmony with the honourable Board, are extremely concerned they should think there was any Thing in their Message Yesterday that had the least Tendency to interrupt it.

Your Honours, after reciting the Proceedings of both Houses, are pleased to say, that the final Determination of the House by a Resolve which was read by the Clerk of the House, is new and unprecedented. The House are at a Loss to know, whether the passing such a Resolve, or sending it up by the Clerk, is what your Honours esteem unparliamentary; If it be the first, We would beg Leave to observe, that each Branch of the Legislature have a Right to act for themselves with the utmost Freedom, neither is the House conscious that there was any Thing in their Message to debar the honourable Board of that Privilege; and as they are so free & willing that the honourable Board should act free and independent; it is surprizing to the House that the honourable Board should find Fault with the House for the Liberty the Constitution has given them: The honourable Board can't but know, that all Grants of Money and Taxes must originate with the House, and never 'till lately did the honourable Board presume to make Alteration in any such Grants or Bills.

Now, altho' the Province Treasurer is chosen by both Houses, yet the House are of Opinion, that a Gentleman entrusted with such large Sums of Money, let his own Estate be what it will, ought to find Sureties for his good Behaviour in said Office: And that the House have a Right in Behalf of their Constituents to insist upon it with the same Reason as they have to determine what Sums they will lodge in the Treasury.

That the Thing is new, the House readily agree to, but it does not follow from thence, that it is unreasonable: And the House have made such a Point of it, that they do not think it safe to trust any Gentleman with their Moneys without such Security: And the honourable Board being of a different Opinion, we acknowledge they have a Right to say, that they will not proceed to the Choice of such an Officer, if he is obliged to give Bonds: But then the honourable Board must be answerable for the Consequences of such a Determination; for the House cannot think it prudent to tax the People, or suffer any of their Revenues to come into the Hands of a Treasurer, that has not given Security.

If the House's sending up their Message by their Clerk, is what has given Umbrage to the honourable Board, we are surpriz'd your Honours could not make a Distinction between Mr. *Cotton* as Clerk of the House, and Col. *Cotton* as Member from *Sandwich*. And your Honours must reasonably determine that he read that Message as Chairman of a Committee of the House. Is it possible, that your Honours could conceive that the House should send their Clerk up with <sup>1</sup>a Message, and order a Committee of the House to attend him to see that he faithfully did his Duty? So that the honourable Board might have spared that Remark; neither can we see what good End it will answer.

Wherefore upon the whole, the House are of Opinion, that the honourable Board must be convinced of the Propriety of the Proceedings of the House; and that they have not taken an unparliamentary Method, since the Subject-Matter of the Controversary respecting the Treasury, concerning which no House have ever rendered a Reason of their Conduct to the other Branches of the Legislature, and consequently



quently of the Reasonableness of concurring with the Vote of the House; Report on the and do not Doubt but that upon further Consideration, the Board will <sup>Petition of</sup> do it; that so the Business of this Session may be no longer impeded. <sup>the Town of</sup> *Boston.*

Who returned they had delivered the Message.

The Committee to whom was refer'd the Consideration of the Petition of the Town of *Boston* respecting their Taxes &c. reported, that by the Representation of the Select-Men and other Gentlemen of the Town of *Boston*, it appear'd, that one great Difficulty they labour under, was occasioned by sundry of the principal Inhabitants removing out of Town, and so are freed from paying Taxes therein, altho' they carry on their Business as usual there; which the Committee are humbly of Opinion is worthy the Consideration of this House.

The Committee are further of Opinion, that it is impossible to make a Judgment of the Reasonableness of the Proportion of the Tax of the Town of *Boston*, unless they submit to a general Valuation, as all other Towns in the Province do.

But nevertheless, considering the Distress the Town has lately been under by the Calamity of the Small-Pox &c. the Committee judge it reasonable, if any other Places were not taxed in the last Valuation, or that the Circumstances of any Town are since greatly alter'd for the better; that the Tax of the Town of *Boston* be abated in the next Tax Act, such Sums as the House shall judge proper to be laid on such Towns or Plantations.

Read and *Ordered*, That the Tax Bill be read a second Time to Morrow Morning at ten o'Clock; and that the Representatives of the Town of *Boston* be then heard upon the Subject-Matter of this Report, &c.

Then the House adjourn'd till to Morrow Morning nine o' Clock.

## Veneris 8. Die Junii, A. D. 1753.

**G** *George Leonard*, Esq; brought down the Petition of the Indians at *Nantucket*, complaining of the Encroachments of the English, and desiring Help from this Court &c. Pass'd in Council, *viz.* In Council *June 5th 1753.* Read and *Ordered*, That *Zecheus Maybaw*, Esq; and *Dr. Matthew Maybaw*, of *Martha's Vineyard*, be and are hereby appointed and impowred to repair to the Island of *Nantucket*, as soon as may be, and there make Inquiry into the Grievances suggested and complained of by the Indians in this Petition, and other Papers accompanying the same, and all other Matters of Complaint now subsisting: That the above named Gentlemen have Power to send for Persons and Papers as Occasion may be, that they endeavour an Accommodation of those Differences between the English and Indians, and make Report to this Court of their Doings therein, and of what they shall judge proper for this Court to do thereon.

Vote on the  
Petition of  
*Nantucket In-*  
*diens.*

Sent down for Concurrence.

Read and nonconcur'd, and *Ordered*, That *Col. Lawrence*, and *Mr. Welles*, with such as the honourable Board shall join, be a Committee to hear the Parties now in Town, and report thereon as soon as may be.

Sent up for Concurrence.

The Committee appointed to consider the Petition of *Zephaniab Morton*, and others, reported thereon.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that the several Divisions set off to the several Heirs of *George Morton*, late of *Plymouth*, deceased, as by their Deed dated *April 24th* last, be and hereby are confirmed and made as effectual in Law to all

Report on the  
Petition of  
*Zephaniab*  
*Morton.*

Intents

Intents and Purposes ; and the several Parts and Shares to each of said Parties therein mentioned, to remain as fully to them and each of them their and each of their Heirs and Assigns, as if the said *William* the Minor had been of full Age and executed the said Deed himself.

Sent up for Concurrence.

Report on Petition of *Rich. Hazen*.

The Committee to whom was refer'd the Consideration of the Petition of *Richard Hazen*, reported thereon.

Read and accepted, and thereupon *Ordered*, That the Petitioner receive out of the publick Treasury the Sum of *four Hundred sixty eight Pounds* upon Loan free of Interest, for the Term of five Years, he first giving Bond with sufficient Sureties for the Repayment of said Sum at the Expiration of the Time abovementioned.

Sent up for Concurrence.

An engross'd Bill Intituled *An Act for erecting the Northeasterly Part of the Town of Deerfield into a seperate District.*

Read and *Resolved*, That the Bill pass to be enacted.

Petition of *Rich. Whitney, &c.*

A Petition of *Richard Whitney* and *Samuel Whitney*, Agents for the Proprietors of the Town of *Stow* in the County of *Middlesex*, praying they may be impowred by a Resolve of this Court to raise Money for the necessary Expences of the Propriety.

Read and committed to Capt. *Wilder*, Mr. *Natbanael Russell*, and Capt. *Livermore*, to consider and report thereon.

Petition of *Exra Smith.*

A Petition of *Exra Smith*, and *Theodore Man*, of *Stoughton*, in the County of *Suffolk*, in Behalf of themselves and others, praying they may be set off from said *Stoughton* to *Wrentham*, in the said County, there to do Duty and receive Priviledge, for the Reasons mentioned.

Read and *Ordered*, That the Petitioners serve the Town Clerk of the Town of *Stoughton* with a Copy of this Petition, that so the said Town may shew Cause, if any they have, on the first Friday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Bill Intituled *An Act determining how the Members of the House of Representatives shall be paid for their Travel to and from the General Court for the future.*

Read a first Time.

Petition of *William Rutter*

A Petition of *William Rutter* of *Mendon*, in the County of *Worcester*, representing his Services and Sufferings in the late Eastern Wars, and praying his Pension which has been from the first of his Sufferings to this Day but *five Pounds* old Tenor, may be augmented.

Read and committed to Capt. *Marcy*, Mr. *Lyman*, and Capt. *Livermore*, to consider and report thereon.

Petition of *Joseph Bent.*

A Petition of *John Bent* of *Southborough*, in the County of *Worcester*, praying he may have another Trial in a Cause between him and *William Johnson* of said Town, respecting a Title to a small Piece of Land, the Determination of the Referrees by Virtue of a Rule of Court therein mentioned notwithstanding.

Read, and the Question was put, *Whether the Petition shall be sustained ?*

It pass'd in the Negative.

A Bill Intituled *An Act for granting the Sum of three Hundred and forty Pounds for the Support of His Honour the Lieutenant Governour and Commander in Chief.* Engrofs'd Bill.

Read three several Times and pass'd to be engrofs'd.

Sent up for Concurrence by Mr. *James Russell*, Capt. *Joseph Williams*, Mr. *Hunt*, Capt. *Reed*, and Col. *Buckminster*.

Ordered, That Col. *Otis*, Capt. *White*, and Mr. *Welles*, be a Committee to inquire of the Heirs of *Jeremiah Allen*, Esq; late Treasurer, respecting the Arrearages which neither the said Treasurer, or his Heirs, have ever accounted for, and report thereon. Committee for Inquiry.

### *Post Meridiem.*

The Committee appointed to consider the Accompt of the Trustees of the *Hassanamisco* Indians, reported according to Order.

Read and accepted, and thereupon, Ordered, That the said Accompt be allowed, and that the Balance thereof being *one Pound fifteen Shillings and nine Pence three Farthings*, due to the said Indians, the said Trustees are further accountable for. Sent up for Concurrence. Report on the *Hassanamisco* Indians Monies.

The Committee appointed to take under Consideration the Petition of *Ezra Harwood*, reported thereon. Report on Petition of *Ezra Harwood*

Read and accepted, and Ordered, That the Prayer of the Petition be granted, and that the said Petitioner be discharg'd from the Goal in *Salem*, he first paying Court Charges, with the Officers and Prison Fees. Sent up for Concurrence.

The Committee appointed to consider the Petition of *Nathanael Osgood*, and others, reported thereon according to Order.

Read and accepted, and thereupon Voted, That the Prayer of the Petition be granted, and that the Petitioners be impowred to receive and pass proper Deeds of the Premises, for the Purposes mentioned accordingly. Sent up for Concurrence. Report on Petition of *Nath. Osgood*.

*John Wheelwright*, Esq; brought down the Petition of *Jeremiah Ballard*, and others, as entred the 7th Currant, with the Report of a Committee of both Houses thereon. Signed *Samuel Watts*, per Order. Report on Petition of *Jer. Ballard*.

Pass'd in Council, viz. In Council June 8th 1753. Read and accepted, and Ordered, That a Bill be brought in accordingly. Sent down for Concurrence.

Read and concur'd, and Col. *Partridge* is directed to prepare the Draft of said Bill. Sent up for Concurrence.

A Petition of Capt. *Moses Marcy*, Agent for the Town of *Sturbridge*, in the County of *Worcester*, praying a moderate Tax may be impos'd on the unimproved Lands of the Proprietors there, for the Reasons mentioned. Petition of Capt. *Moses Marcy*, and Order thereon

Read and Ordered, That the Petitioner notify the Resident and Nonresident Proprietors of the said Town, by inserting the Substance of this Petition in one of the publick Prints three Weeks successively, that so they shew Cause, if any they have, on the first Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted. Sent up for Concurrence.



Order on the  
Petition of  
*Theodore Man.*

*John Wheelwright*, Esq; brought down the Petition of *Theodore Man* of *Stoughton*, as entred the 30th of *March* last, and refer'd. Pass'd in Council, viz. In Council *June* 8th 1753. Read again, and it appearing that the Town of *Stoughton* has been duly served with a Copy of this Petition, and that they voted no Answer should be given thereto : Therefore Ordered, That the Prayer of the Petition be granted, and the Petitioner with his Estate is hereby set off from the Town of *Stoughton*, and annexed to the Town of *Walpole*, there to do Duty and enjoy Priviledge, provided the Petitioner first pay his Proportion of all Taxes that are already rais'd upon said Town of *Stoughton*.  
Sent down for Concurrence. Read and concur'd.

Order on the  
Petition of  
*Andr. Oliver*,  
Esq; &c.

*Ezekiel Cheever*, Esq; brought down the Petition of *Andrew Oliver*, Esq; and others as entred the first Currant, and refer'd, with the Report of a Committee of both Houses thereon.

Signed *Samuel Watts*, per Order.

Read and accepted, and Ordered, That the Petitioners have Liberty to bring in a Bill accordingly.

Resolve rela-  
ting to *Nath.*  
*Sparhawk*,  
Esq;

The Committee to whom was refer'd the Consideration of the Suggestion respecting *Nathanael Sparhawk*, Esq; his Right to a Seat in this House, reported that they find he had an Estate in Freehold in *Kittery* at the Time of his Choice, and therefore has a Right to a Seat in this House.  
Read and accepted.

*Samuel Danforth*, *Samuel Watts*, and *John Greenleaf*, Esqrs; came down from the honourable Board, with the following Message, viz.

In Council *June* 8th 1753.

Message from  
the Board re-  
lating to a  
Treasurer.

Voted, That the following Message be sent to the honourable House of Representatives, viz.

The Board have no Disposition to begin or continue a Controversy with the honourable House : The Right of the House to originate all Taxes and Grants of Money, has never been disputed by the Board :— But that the House have a Right of making certain Things necessary to qualify a Province Treasurer, and that the Board are held to agree to all or none of such Qualifications, without the Liberty of making any Amendment to the Vote or Resolve of the House, is a Position, which until now, has never been laid down by any House of Representatives since the Charter ; nor can the Board by any Means concede to it. If this Doctrine be true, it will justify the Proceedings of the honourable House in sending a naked Resolve as a Message to the Board ; but if it can never be supported, as certainly it cannot, we hope the House will no longer insist on the Propriety of their Proceedings.

But as the House in their Message are pleased to enter into the Merits of the Vote first sent up to the Board, and to give some Reasons in Support of it ; the Board are willing likewise to assign their Reasons for nonconcurring it in Part only ; For altho' the House think that it is not safe to trust any Gentleman with their Moneys without giving Security, because they have made a Point of it, that it should be so ; yet the Board are always ready to support their Votes by other Reasons than meerly because they have insisted on them ; and when they are convinced of the Insufficiency of such Reasons, to vary or recede from such Votes accordingly. The honourable House pass'd the first Vote refer'd to in such general and loose Terms, and with such Relation to future Votes which depended on what may hereafter be the Mind of the General Court, that the Board could see no Probability of any good Effect



Effect from it, but on the contrary, that it might tend to discourage any Gentleman of Character and Estate, who might be chosen into the Office, from accepting the Trust, when burdened in an unusual Manner; for he must bring himself under very high Obligations to his Sureties, if the Penalty of their Bonds be made equal to the Importance of the Trust; and if a less Penalty should be required, it could not answer what appear'd most probably to be the Design of the Vote. The Board are never inclin'd to Changes or Alterations of any long Practices, which have been attended with no Inconvenience. The several Treasurers since the Charter have been of such established Characters, as to leave no Room for Suspicion of Fraud or Injustice, and their Estates have been such as without any additional Security, have been equal to any Deficiencies that may happen thro' casual Errors or Mistakes; and the Board hope that this important Office will always be confer'd on a Person as unexceptionable:—But upon the whole, to shew the Disposition of the Board to Harmony and good Agreement, if the honourable House will project a Bill more fully and explicitly settling the Method and Amount of the Security expected from a Treasurer intrusted with the publick Moneys, and if they think proper any other Officers, the Board are ready to give it all due Consideration, and concur so far as they can consistent with the Interest of the Province.

Read, and thereupon *Voted*, That for the future no Person that shall be elected by the General Assembly into the Office of a Treasurer or Receiver-General for this Province, shall be esteemed duly qualified to enter upon the Execution of that Office, until such Person shall first (and so often as he shall be chosen,) have an Oath administered to him for his faithfully performing his said Office, and shall also give Bond, with two sufficient Sureties, in the Sum of *thirty Thousand Pounds* Lawful Money, to the three eldest Councillors in the Province for the Time being, who are hereby appointed a Committee in Behalf of the Province for this Purpose; which Bond shall be Conditioned for such Treasurer's truly and faithfully discharging the Duty of his said Office, according to Law, and for his rendering an Account when and so often as he shall be required by the General Court, of all such Sums of Money as he shall from Time to Time receive into the Treasury, and for his well and truly paying to his Successor in said Office, or to any other Person appointed by the General Assembly to receive the same, all such Sum or Sums of Money as upon such Settlement of his said Accompts or otherwise shall be found due and payable from him to the Province.

Sent up for Concurrence.

A Bill Intituled *An Act determining how the Members of the House of Representatives shall be paid for their Travel to and from the General Court for the future.*

Read a second Time, and the Question was put, *Whether the Bill shall have a third Reading?* It pass'd in the Negative.

The House, according to the Order of the Day, entred into the Consideration of the Report of the Committee respecting the Taxes of the Town of *Boston*; and after a long Debate, refer'd the Consideration 'till to Morrow Morning. Debate relating to *Boston* Taxes.

*Ordered*, That the following Sums the Treasurer be accountable for, Sums the Treasurer to be accountable for.  
*viz.* the Sum of *forty eight Pounds one Shilling & four Pence*, old Tenor, due from *Ephraim Hayward*, Constable of *Brookfield*; and the Sum of *sixteen Pounds fifteen Shillings and four Pence*, old Tenor, due from *Benjamin*

*jamin Richardson of Liecester ; and the Sum of four Pounds six Shillings & one Penny, last Emission, due from Jonathan Burk of Brookfield ; as also the Sum of seven Pounds three Shillings & nine Pence, last Emission, due from Nathan Dennis of Dudley. Sent up for Concurrence.*

*Medford Fine remitted.*

*Ordered,* That the Fine impos'd upon the Town of *Medford*, for not sending a Representative last Year, be remitted and allow'd for in the next Tax Bill, it appearing to this House that they are not obliged by Law to send a Representative.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Sabbati 9. Die Junii, A. D. 1753.

*Petition of John & Richard Billings.*

**A** Petition of *John and Richard Billings of Boston*, in the County of *Suffolk*, shewing that *Mr. William Reed*, Attorney to *Mr. John Banister of Rhode-Island*, sometime since commenced an Action, upon the absconding Act, against them as Trustees to one *Samuel Foster*, and obtained Judgment thereupon against them for *twenty nine Pounds six Shillings* Lawful Money Debt, & *four Pounds eighteen Shillings & six Pence*, Cost of Suit ; that at the Interiour Court held at *Boston* in *April* last, *Mr. Reed* bro't a Writ of *Scire Facias* against them, which they intended to defend ; but so it was, that the within-named *Richard*, who had the whole Management of said *Foster's* Affairs, was taken sick, and could not attend the Court, but sent to his Attorney to defend the said Action ; but he neglecting to do it, Judgment was entred up against the Petitioners for *thirty four Pounds six Shillings & six Pence* ; and your Petitioners beg Leave to inform this Court, that they have in their Hands of said *Foster's* Effects no more than *twenty one Pounds three Shillings and eight Pence*, which they are ready to declare upon Oath ; which they offer to pay said *Reed* ; but he refuses to take any Part without the Whole ; which is *thirteen Pounds two Shillings & ten Pence* more than they have in their Hands ; they therefore pray this Court will allow them to bring forward a Writ of Review at the next Inferiour Court to be held for the County of *Suffolk*, the Time by Law being elapsed notwithstanding.

Read and *Ordered*, That the Petitioners serve *William Reed*, with a Copy of this Petition, that he shew Cause, if any he hath, on Tuesday next, the 12th Currant, why the Prayer thereof should not be granted, and Execution is stayed in the mean Time ; provided the Petitioners give Security to the Sheriff of the County of *Suffolk*, to Respond what shall finally be judg'd due upon the Action.

Sent up for Concurrence.

*Bills read.*

A Bill Intituled *An Act in Addition to an Act Intituled An Act directing how Meetings of Proprietors of Lands lying in common may be called.*

Read a first Time.

A Bill Intituled *An Act in Addition to an Act made and pass'd in the present Year of his Majesty's Reign Intituled an Act for the more easy Partition of Lands or other Real Estate given by Will and held in common and undivided among the Devisees.*

Read a first Time. And

*Ordered*, That this Bill be read a second Time on Monday four o'Clock Afternoon.

A Petition of *Samuel Milberry*, and *Mary Norwood*, of *Yerk*, in the County of *York*, Administrators on the Estate of her late Husband *Guitavus Norwood*, late of said Town, deceased, praying Liberty to make Sale of the Real Estate of the Deceased, for the Purposes therein mentioned.

Petition of  
*Samuel Mil-*  
*berry, &c.*

[*Gustavus*]

Read and committed to Capt. *Prebble*, Capt. *Stevens*, and Col. *Lawrence*, to consider and report thereon.

Ordered, That Capt. *Kidder*, Mr. *Nathanael Russell*, and Col. *Worthington*, be a Committee to prepare and lay upon the Table a Bill in Addition to the Act to enable the Overseers of the Poor and Select-Men to take Care of idle and disorderly Persons, and that they insert a Clause impowring the Overseers to take any Children that are bound out, where it evidently appears they are abused by their Masters ; and another Clause impowring the Overseers or Select-Men to bind out Children that lead an idle Life.

Committee  
for an Act re-  
lating to the  
Poor.

*Samuel Danforth*, Esq; brought down the Report of the Committee appointed by this Court to repair to the Lands petitioned for by *William Bull* and others, and *Timothy Hopkins*, and others &c.

Report on the  
Petition of  
*Wm. Bull* and  
others.

Read and Ordered, That Mr. *Welles*, Col. *Partridge*, Col. *Worthington*, Mr. *Allen*, and Capt. *Moseley*, with such as the honourable Board shall join, be a Committee to take the Report, and all the other Papers accompanying it, under Consideration, and report as soon as may be, what they judge proper for this Court to do thereon.

Also Ordered, That the said Committee take under Consideration the Papers received from the Governour of *New-York*, and laid before this Court by His Honour the Lieutenant Governour ; as also the Petition of *John Alsop*, and others, of the City of *New-York*.

Sent up for Concurrence.

The Petitions of *Boxford*, *Medway*, *Holliston*, *Abington*, *Norton*, and *Brookfield*, by their Representatives, praying the Fines impos'd upon them for not sending a Representative, may be remitted, for the Reasons mentioned.

Petition of se-  
veral Towns.

Read, and the Questions were severally put, *Whether the Prayers thereof shall be granted ?*

It pass'd in the Negative.

Ordered, That all the Representatives present, be enjoined to be in the House on Monday at three o'Clock Afternoon, on Pain of the Displeasure of the House.

Members en-  
join'd Atten-  
dance.

Then the House adjourn'd till Monday next three o'Clock Afternoon.



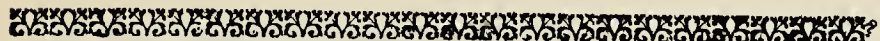






# VOTES

Of the House of Representatives.



Lunæ 11. Die Junii, A. D. 1753.

ON the Petition of sundry Proprietors of *Pontoosuck*, so called, in the County of *Hampshire*, the following Vote relating to *Pontoosuck* Proprietors, Vote passed, viz.

*Voted*, That *Joseph Dwight*, Esq; issue his Warrant for calling a Meeting of the Proprietors of the House-Lots in the Township of *Pontoosuck*, so called on *Houffatonnoc River*, directed to one of the principal Proprietors of said Lots, requiring him to set up Notification in some publick Place in said Township, setting forth the Time Place and Occasion of such Meeting twenty Days beforehand, which Meeting shall be holden in said Township, and such of the Proprietors as shall be present at said Meeting, are hereby authorized and impowred by a major Vote to grant Monies for building a Meeting-House, (which Meeting-House shall be set upon the Land reserved for that Purpose near the middle of the Township) as also for the Settlement and Support of a Minister, and building of Bridges, and repairing of High-Ways; and are also impowred to make an Exchange of Part of the School Lot, for Part of the Mill Lot, with the Proprietors of the Mill Lot, in order for the accommodating of the Mills; and are hereby further impowred to choose a Clerk, Assessors, Collectors, and a Treasurer for said Proprietors; which Officers shall be under Oath for the faithful Discharge of their respective Trusts, and are hereby vested with like Powers as such Officers in new Townships are by Law vested with; and also are impowred to choose Committees to manage their publick Affairs, who shall be accountable to said Proprietors from Time to Time; And that all Rates and Taxes that may be raised for the Purposes aforementioned shall be laid upon the sixty House Lots laid out in said Township, each an equal Part, exclusive of the Minister, Ministry & School Lots; and that the Payment of said Taxes may be enforced from Time to Time agreeable to the Directions of an Act made in the nineteenth Year of the Reign of *George the II<sup>d</sup>* Chapter 8th, and that said Proprietors at said Meeting may agree upon a Method of Meetings of the said Proprietors for the future, until the further Order of this Court; provided nothing contained in this Order shall surperseed the Order of this Court in *April* last, respecting taking Possession of all forfeited Grants after the Time limited in said Order.

Sent up for Concurrence.

K

On

Committee on  
*Quabbin* Me-  
morial.

On the Petition of the Memorial of *Quabbin*, Ordered, That Col. *Partridge*, Capt. *Marcy*, and Mr. *Nathanael Russell*, be a Committee to take said Petition under Consideration, and report what they judge proper to be done thereon.

*Quabbin* Peti-  
tion dismiss'd.

The Petition of a Committee of the Parish called *Quabbin*, was read and dismiss'd, it not appearing to the House, that they were authorized to Petition in Behalf of said Parish.

Report on  
Petition of  
*Stow*.

The Committee appointed to take under Consideration the Petition of the Proprietors of *Stow*, reported thereon, according to Order.

Read and Ordered, That the Petition with the Report, lie on the Table for further Consideration.

Order on the  
Petition of  
*Eliz. Barker*.

*John Quincy*, Esq; brought down the Petition of *Elizabeth Barker*, and others, as entred April 6th 1753. Pass'd in Council, viz. In Council June 6th 1753. Read and Ordered, That this Petition be revived, and that the Guardians of the said *Isaac Barker* make Sale of so much of the said *Isaac's* Real Estate, as may be sufficient for Payment of his just Debts, as they shall be examined and allowed by the Judge of Probate for the County of *Plymouth*; and they are hereby fully authorized and impowred to give good and sufficient Deed or Deeds for the same, first giving publick Notice agreeable to the Laws of this Province relating to the Sale of Lands, and the Remainder of the Real Estate the Judge of Probate of Wills, &c. within said County of *Plymouth*, is hereby authorized and impowred by five sufficient Freeholders under Oath, to divide equally to and amongst said *Isaac's* Children, saving to the eldest Son a double Portion, and to confirm such Division; and said Division so confirmed by said Judge, shall be as good and valid, and have the same Effect and Operation in Law after the Death of said *Isaac*, as it would have had if the said *Isaac* was really deceased at the Time of making such Division, saving, that if the said *Isaac* should be restored to his Reason, and be capable of disposing his Estate, the said Division should be no Bar, or any Manner of Impediment to his acting upon said Estate, and disposing of the same, as he should judge proper; also saving to *Elizabeth* the Wife of said *Isaac*, the one third Part of the Income of the same in it's present Condition, if she should be a Widow; and also saving to the Guardians of the said *Isaac* the Income of said Estate, or so much thereof as the said Judge shall think necessary for the Support of said *Isaac* and his Family, during the Time of his being *Non Compos*. Sent down for Concurrence.

Read and concur'd.

*John Greenleaf*, Esq; brought down the following Vote of Council, viz. In Council June 11th 1753.

Order relating  
to Excise &c.

Whereas a Committee of the General Court was appointed the 5th of June 1752, to make Inquiry into the Affair of the Excise granted upon Coffee, Tea, Coaches, &c. and no Report yet made thereon:

Ordered, That the said Committee be revived, and now proceed in the Affair, and make Report as soon as may be.

Sent down for Concurrence. Read and concur'd.

A Bill Intituled *An Act in Addition to an Act Intituled An Act directing how Meetings of Proprietors of Lands lying in common may be called*.

Read a second Time.

The Committee on the County Treasurer's Accompts of *Barnstable*, reported.

Read

Read and accepted, and *Ordered*, That the said Accompt be allowed, Report on  
and that the Balance being *fourteen Pounds eighteen Shillings & six Pence*, *Barnstable*  
the said Treasurer is further accountable for. County. Treas-  
urer's Ac-  
compt.

Sent up for Concurrence.

A Petition of *William Gammage* and others, Heirs and Guardians to Petition of  
the Heirs of *John Gammage*, late of *Ipswich* in the County of *Essex*, *Wm. Gamage*.  
deceased, praying Liberty to sell the Real Estate of the Deceased, for  
the Reasons mentioned.

Read and committed to Mr. *Hunt*, Col. *Bradford*, and Capt. *Nichols*,  
to consider and report thereon.

An engross'd Bill Intituled *An Act for granting to his Majesty several* Tonnage Bill  
*Rates and Duties of Impos't and Tonnage of Shipping.* enacted.

Read and *Resolved*, That the Bill pass to be enacted.

Then the House adjourn'd till to Morrow Morning nine o' Clock.

**Martis 12. Die Junii, A. D. 1753.**

A N engross'd Bill Intituled *An Act for granting to his Majesty an* Excise Bill  
*Excise upon Wines and Spirits distilled sold by Retail, and upon* enacted.  
*Limes Lemmons and Oranges.*

Read and *Resolved*, That the Bill pass to be enacted.

The Committee appointed to take under Consideration the Petition Report on Pe-  
of *William Butler*, a poor Soldier, reported thereon according to Order. tition of *Wm.*  
*Butler.*

Read and accepted, and thereupon *Ordered*, That the Petitioner  
be annually allowed out of the publick Treasury the Sum of *three Pounds*  
as a Pension, in Consideration of his Services and Sufferings therein  
mentioned.

Sent up for Concurrence.

A Petition of a Number of Inhabitants on *Kennebeck-River*, praying Petition of  
they may be made a seperate and distinct Precinct from *George-Town*, Inhabitants of  
for the Reasons mentioned. *Kennebeck.*

Read and *Ordered*, That the Petitioners serve the Town Clerk of  
*George Town* with a Copy of this Petition, that so the said Town shew  
Cause, if any they have, on the second Wednesday of the next Sitting  
of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Petition of the Inhabitants of *Hopkinston*, in the County of *Mid-* *Hopkinston*  
*dlesex*, praying the Fine of *eight Pounds* impos'd upon them the present Fine remitted.  
Year for not sending a Representative, may be remitted, for the Reasons  
mentioned.

Read and *Ordered*, That the Prayer of the Petition be granted, and  
the said Fine is remitted accordingly.

The Report of *Elisba Hawley*, relating to a Road for Horses from Report on a  
*Northampton* to *Albany*, as entred the 16th of *December 1752*, was read a Road.  
again, and *Ordered*, That Col. *Bradford*, Capt. *Wilder*, and Capt. *Joseph*  
*Williams*, take the said Report and Plan under Consideration, and report  
what they judge proper for this Court to act thereon.

[*Albany*]

*John*



Petition of  
*Brookfield*  
bro't down.

*John Wheelwright*, Esq; brought down the Petition of five Inhabitants of *Brookfield*, as entred the 29th of *March* last, and the 7th Current, and refer'd; with the Report of a Committee of both Houses thereon. Pass'd in Council, *viz.* In Council *June* 8th 1753. Read and Ordered, That the Report be accepted, and that the Lands therein described, with the Inhabitants thereon, be annexed to the District of *Spencer*, (formerly the West Precinct in *Leicester*) to do Duty and enjoy Priviledge there, as other Inhabitants of said District do enjoy, provided that they pay their just Proportion to all past Taxes that are granted and assessed on the Inhabitants of the Town of *Brookfield*.

Sent down for Concurrence.

Read and Ordered, That the Consideration of this Petition, and the Vote of Council thereon, be refer'd till the first Wednesday of the next Sitting of this Court, that so the Town of *Brookfield* may then have Opportunity to give in their Reasons, if they see Cause, why the Prayer thereof should not be granted.

The Bill Intituled *An Act for erecting the Township of New-Salem (so called) in the County of Hampshire into a District.*

Read a first Time.

Treasurer to  
be account-  
able for several  
Sums.

Ordered, That the Province Treasurer be accountable for the Sum of *ten Shillings & two Pence*, middle Tenor, paid him by *Nehemiah Ripley*, Constable of *Plymouth*, which Sum the Province has no Credit for.

Ordered, That the Sum of *twenty four Pounds four Shillings*, old Tenor, said to be due from *David French*, Constable of *Abington*, the Province Treasurer be accountable for.

Ordered, That the Sum of *fifty five Pounds eleven Shillings & four Pence*, middle Tenor, said to be due from *Benjamin House*, Constable of *Scituate*, the Province Treasurer be accountable for.

Ordered, That the Sum of *twenty seven Pound nine Shillings and one Penny*, middle Tenor, said to be due from *David Bumpas*, Constable of *Wareham*, the Province Treasurer be accountable for.

Sent up for Concurrence.

Ordered, That the Sum of *one Pound five Shillings* last Emission, said to be due from *John Hooper's* Executors of *Berwick*, the Province Treasurer be accountable for.

Sent up for Concurrence.

Ordered, That the Sum of *sixty Pounds five Shillings and eleven Pence*, new Tenor, said to be due from *Thomas Dennis* of *Ipswich*, the Province Treasurer be accountable for.

Sent up for Concurrence.

### *Post Meridiem.*

Petition of  
*Abr. Davis*  
bro't down.

*John Greanleafe*, Esq; brought down the Petition of *Abraham Davis* of *Glocester*, in the County of *Essex*, praying a Judgment of the Superiour Court at *Ipswich*, on an Award in a Cause between him and *Mary Greanleafe* of *Newbury*, may be set aside, for the Reasons mentioned. Pass'd in Council, *viz.* In Council, *June* 12. 1753. Read and Ordered, That the Petitioner serve the adverse Party *Mary Greanleafe*, with a Copy of this Petition, that she shew Cause, if any she hath, on the first Tuesday of the next Sitting of this Court, why the Prayer of the Petition shou'd not be granted, and that Execution be stayed in the mean Time; provided the Petitioner give sufficient Security to the Sheriff of the County of *Essex*, to pay what is or may finally be judged due.

Sent down for Concurrence.

Read and concur'd.



A Message to both Houses from His Honour the Lieutenant-Governour, by Mr. Secretary. viz.

Gentlemen of the Council, and House of Representatives,

*IT has always been allowed, that the Settlement of the Eastern Parts of the Province would be greatly for his Majesty's Service, as well as the more immediate Advantage of the Inhabitants of this Government; but yet there does not seem to have been proper Care taken to remove the Obstacles to this Settlement: The two principal, and perhaps the only material ones are, the exposed Situation of that Part of the Country to the Indian Enemy in Case of a Rupture, and the great Controversy about Titles by Reason of different Claims to the same Tracts of Land. With Respect to the first, I do not see but that it must remain in some Measure; but then it is to be considered, that any new Settlement on the back of the old, will be no more a Frontier than the old are at present; and by covering the old Settlements you will encourage the filling them with Inhabitants, and greatly strengthen the whole. But with Respect to the latter, it undoubtedly is in the Power of this Court to remove it; what appears to me the most unexceptionable Way is, the Appointment of a special Court for settling the Titles, allowing sufficient Time for every Claimer to exhibit his Claim, and excluding for ever all such as shall not appear before the limited Period; and after the Expiration of the Term, the said Court proceed to determine the Validity of each Claim: This will be a Work of Time, and I can't expect to live to see any great Effect of it; but it will be a great Satisfaction to me, if during my being in the Chair, I may be any Ways instrumental of laying the Foundation of future Benefit to my Country.*

His Honour's  
Message to  
both Houses.

Council-Chamber,

S. P H I P S.

June 12. 1753.

Read and Ordered, That His Honour's above Message be considered to Morrow Morning ten o'Clock.

*Samuel Watts, Esq;* brought down the Report of the Committee appointed the 9th Currant, to take under Consideration the Report of a Committee directed to repair to the Lands lying within this Province West of *Sheffield &c.* and also to take under Consideration the Papers received from the Governour of *New York*, have attended that Service, so far as relates to the said Papers, and report as follows, viz.

Report of a  
Committee  
relating to  
Lands West  
of *Sheffield &c.*

That it appears by said Papers that the Proposal made by this Court to the Government of *New York* of appointing Commissioners to settle the Line between the two Provinces has been rejected; That there does not appear by any Evidence whatsoever, to have been any ancient Jurisdiction exercised, nor ancient Grants made by any States or Powers in *Europe*, nor any ancient Possession in any other than this Government of any of the Lands now held or claim'd by this Province; That the Right of this Province appears to be founded upon Grants as ancient as the Year 1620, and their Possession and actual Improvement of a considerable Part of the Lands to the Westward of *Connecticut River*, is of more than an hundred Years standing, and must have been known to every Government on the Continent; and therefore it is surprising that the Government of *New-York* now seem to be unacquainted with it; That therefore it can by no Means be adviseable for this Government now to suspend the Exercise of their Jurisdiction, but on the contrary, it behoves them to go on in settling the Lands, and regulating and governing the Inhabitants according to the Right given them by Charter: The Committee desire Leave to sit again to consider the Report of the aforementioned Committee &c.

Signed *Jacob Wendell*, per Order.

L

Pass'd

[again]

Pass'd in Council, viz. In Council June 12th 1753. Read and accepted, and that the Committee sit again, and make further Report on the Affairs refer'd to them. Sent down for Concurrence.

Read and concur'd.

Manufactory  
Bill.

A Bill Intitl'd *An Act for granting the Sum of fifteen Hundred Pounds to encourage the Manufacture of Linnen.*

Read a first Time. And,

*Ordered*, That the Bill be read a second Time to Morrow Morning ten o'Clock.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Mercurii 13. Die Junii, A. D. 1753.

Petition of  
*Hannah Dun-*  
*bar.*

**A** Petition of *Hannah Dunbar* of *Hingham*, in the County of *Suffolk*, Widow of *Peter Dunbar*, late of said Town, deceased, praying the Interposition of this Court respecting a Contract he in his Lifetime made with one of the *Plymouth* Patent Company (so called) in which he was defrauded and impos'd upon; she therefore desires the Bonds given by her said Husband may be made void, or that she may be otherwise relieved.

Read, and the Question was put, *Whether the adverse Party shall be notified?* It pass'd in the Negative. And

*Ordered*, That this Petition be dismiss'd.

Mr. Hawley's  
Petition and  
Plan.

The Petition and Plan of *Elisba Hawley* of *Northampton*, respecting a Road from thence to *Albany*, was read again, and thereupon

*Ordered*, That the Sum of *sixty Pounds* be granted and paid out of the publick Treasury to *Oliver Partridge*, Esq; to be improved for the clearing a Road &c. for the Purpose within mentioned, as soon as may be, and in the cheapest Manner; he to be accountable to this Court for his Disbursements on this Affair. Sent up for Concurrence.

A Bill Intitl'd *An Act in Addition to an Act Intitl'd An Act directing how Meetings of Proprietors of Lands lying in common may be called.*

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

A Bill Intitl'd *An Act for erecting the Township of New-Salem in the County of Hampshire into a District.*

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Report on  
Capt. *Lith-*  
*gow's* Letters.

*Samuel Danforth*, Esq; brought down the Report of a Committee of both Houses, appointed to take under Consideration the Letters from Capt. *Lithgow* to His Honour the Lieutenant Governour, viz. That His Honour be desired to give Orders that the English Man now inhabiting on *Montinicus Island*, be immediately removed from thence, it appearing that he has no Right to said Island; and that it be recommended to the Gentlemen that are settling up *Kennebeck-River*, to give such Satisfaction to the Indians as to make them easy, that so they may be allowed to go peaceably on with their Settlements there.

Pass'd in Council, viz. In Council June 12th 1753. Read and *Ordered*, That this Report be accepted. Sent down for Concurrence.

Read and concur'd.

*Ordered*,

*Ordered*, That Col. *Richards* go up to the honourable Board, and inquire whether they have pass'd upon the Vote of the 8th Currant, respecting the Treasurer's giving Bond &c. Message to the Board.

Who returned he was informed by Mr. Secretary, that the said Vote was nonconcur'd.

Upon which the following Vote passed, *viz.*

*Ordered*, That Col. *Partridge*, Col. *Cotton*, and Col. *Worthington*, prepare the Draft of a Bill to oblige any Treasurer of the Province hereafter to be chosen to give Bond with Sureties, and to be under Oath for the faithful Discharge of that Trust.

*John Chandler*, Esq; brought down the Petition of *Richard Hazzen*, desiring this House will reconsider their Vote thereon, as entred the 8th Currant. And then the said Gentleman withdrew. Petition of Rich Hazzen, bro't down.

The House, agreeable to the above Message, entred into the Consideration of said Vote; and after a Debate, and mature Consideration,

*Voted*, That the House adhere to their Vote as then sent up to the honourable Board. Sent up for Concurrence.

A Bill Intituled *An Act for granting the Sum of fifteen Hundred Pounds to encourage the Manufacture of Linnen.* Manufactory Bill engros'd.

Read a second and third Time, and pass'd to be engros'd.

Sent up for Concurrence by Mr. *Allen*, Mr. *James Bowdoin*, and Mr. *Spaulding*.

The Committee appointed for that Purpose, reported that they had prepared a Bill Intituled *An Act providing that the Province Treasurers that may be chosen from Time to Time shall be under Oath, and give Bond for the faithful Discharge of their Office.* Bill relating to Treasurer's Oath &c.

Read three several Times and pass'd to be engros'd.

Sent up for Concurrence by Col. *Partridge*, Col. *Cotton*, Col. *Worthington*, Mr. *Allen*, and Col. *Buckminster*.

### *Post Meridiem.*

The Committee appointed to consider the Petition of *Samuel Milberry* and *Mary Norwood*, reported according to Order.

Read and accepted, and thereupon *Ordered*, That the Petitioners be and hereby are impowred to make Sale of the Real Estate of the Deceased mentioned; they observing the Directions of the Law for the Sale of Real Estates, and giving proper Caution to the Judge of Probate for the County of *York*, that the Overplus arising by said Sale (after the just Debts are paid and Charges of Administration) shall be distributed according to Law. Report on Petition of Sam. Milberry &c.

Sent up for Concurrence.

The Committee to whom was refer'd the Consideration of the Petition of *Rebecca Wellington*, reported thereon according to Order.

Read and accepted, and thereupon *Voted*, That the Petitioner be and she is hereby impowred to give a Deed according to Law, to the said *Joseph Wellington*, of the Lott lying in *Narragansett* Numb. Two; and that she be also impowred to join with *Joseph* and *Thomas Wellington*, to make Sale of the Estate lying in *Waltham*, and to give a good Deed or Deeds of the same; she to be accountable to the Judge of Probate for the County of *Middlesex*, for the Proceeds of said Sale. Report on Petition of Rebecca Wellington.

Sent up for Concurrence.

The Committee appointed to consider the Petition of *William Gamage*, reported.

Read



Order on  
Petition of  
*Wm. Gamage.* Read and accepted, and *Ordered*, That *William Gamage*, the Executor of the last Will & Testament of the Deceas'd, be and he hereby is impow'd to make Sale of the Real Estate of the Deceas'd ; he observing the Directions of the Law respecting the Sale of Real Estates, and giving Caution to the Judge of Probate for the County of *Middlesex*, that the Proceeds of said Sale shall be distributed among the Minors according to Law. Sent up for Concurrence.

Petition of  
*Samuel Bradshaw.* A Petition of *Samuel Bradshaw*, and four others of *Stoughton*, praying they may be set off from that Town, and annexed to *Walpole*, for the Reasons mentioned.

Read, and it not appearing that the Petitioners had applied to the Town of *Stoughton* for Relief, *Ordered*, That this Petition be dismiss'd.

Petition of  
*Wm. Boardman* refer'd. *Ordered*, That the Petition of *William Boardman*, Jun. of *Chelsea*, be refer'd for Consideration to Capt. *Joseph Williams*, Col. *Partridge*, and Mr. *James Russell*, to consider and report thereon.

Petition of  
*Zech. Emery.* A Petition of *Zechariah Emery* of *Chelmsford*, in the County *Middlesex*, praying his Gun, and the Gun belonging to his Son *Samuel Emery*, deceased, now in the Hands of the Commissary-General, may be delivered to him, for the Reasons mentioned.

Read and *Ordered*, That this Petition be committed to Capt. *Nichols*, Capt. *Joseph Williams*, and Capt. *Reed*, to consider and report thereon.

Petition of  
*Jed. Morse &c.* bro't down. *John Otis*, Esq; brought down the Petition of *Jedediah Morse*, and *James Plimpton*, of *Stoughton*, as enter'd the 31<sup>st</sup> of *March* last and refer'd. Pass'd in Council, viz. In Council, *June* 8<sup>th</sup> 1753. Read again, and it appearing that the Town of *Stoughton* has been duly served with a Copy of this Petition, and that they voted no Answer should be given thereto.

Therefore,

*Ordered*, That the Prayer of the Petition be granted, and the Petitioners with their Estates are hereby set off from the Town of *Stoughton*, and annexed to the Town of *Walpole*, there to do Duty and enjoy Privilege ; provided the Petitioners first pay their Proportion of all Taxes that are already laid on the Town of *Stoughton*.

Sent down for Concurrence. Read and concur'd.

Memorial of  
Mr. *Israel Turner.* A Memorial of Mr. *Israel Turner*, in Behalf of the Town of *Pembroke*, in the County of *Plymouth*, praying the Grant of a Tract of Land (containing five Hundred Acres) to the said Town *Anno* 1736. may be now confirmed, for the Reasons mentioned.

Read and *Ordered*, That this Memorial be committed to Col. *Partridge*, Col. *Winflow*, and Capt. *Wilder*, to consider and report thereon.

Supply Bill. A Bill Intitl'd *An Act for the Supply of the Treasury with Nine Thousand Pounds, and for apportioning the same, &c. exclusive of the Pay of the Members, &c.* Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence by Mr. *Welles*, Col. *Lawrence*, Mr. *James Russell*, Mr. *Fletcher*, and Col. *Buckminster*.

Committee  
for a Bill. *Ordered*, That Col. *Partridge*, Capt. *Elijah Williams*, and Capt. *Ashley*, be a Committee to prepare the Draft of a Bill to prevent the firing of Woods.

Vote for  
posting Men. *Voted*, That His Honour the Lieutenant-Governor be desired to issue out his Orders, that the ten Men posted at Numb. *Four*, so called, be with



with-drawn & disbanded as soon as may be, and to direct Capt. *Phineas Stevens* to take Care that the Artillery and other Warlike Stores there be secured for the Service of the Government.

Sent up for Concurrence.

Ordered, That His Honour the Lieutenant-Governor be desired to issue out his Orders, that the Number of Men at *Fort Dummer* be reduced to three Persons.

Sent up for Concurrence.

Sundry Persons Inhabitants of *Sheepscut* and *Wiscasset*, praying to be erected into a distinct District, were read, together with the Answers of sundry Proprietors of said Lands, against the Prayer of said Petition, and Ordered, That Capt. *Prebble*, Mr. *Foster*, and Col. *Buckminster*, take these Petitions and Plan of *Wiscasset* under Consideration, and report thereon.

A Petition of *John Russell* of *Killingly*, in the Colony of *Connecticut*, praying he may be allowed one Month's Wages for Service on Board the *Massachusetts-Frigate*, though omitted on the Muster-Roll.

Read and committed to Capt. *Marcy*, Capt. *Livermore*, and Mr. *Downe*, to inquire into this Affair, and report thereon.

A Petition of *John Mackenny* and others, of *Scarborough*, praying Liberty of another Tryal in the Law, in a Cause between them and one *Elizabeth Dearing* of said *Scarborough*, the Review mentioned standing.

Read and committed to Col. *Lawrence*, Capt. *Livermore*, and Capt. *Newhall*, to consider and report thereon.

*John Quincy*, Esq; brought down a Vote of Council respecting the Settlement of the *Germans* at the Westward, &c. which was concurred as taken into a new Draft by the House, viz.

Whereas a Number of *Germans* appear desirous to join in settling the Township at *Fort Massachusetts*, lately granted to thirty-one German Petitioners, with a Number of English, who shall appear to Purchase Rights in order to a Settlement; and there appearing several of the said Petitioners willing to resign their Interest in said Grant, that others may be admitted in their Stead:

Vot d, That the Committee appointed by this Court to admit Settlers, &c. in said Township, be impowered and directed to admit others of the said *Germans* into said Township, on the Conditions of the afore-said Grant, in the Room and Stead of such of the said Petitioners as shall appear willing within one Month to resign their Interest in said Grant; provided they do not give any Thing to the first Grantees in Consideration of their being admitted in their Room.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Jovis 13. Die Junii, A. D. 1753.

*John Otis*, Esq; brought down the Petition of Messieurs *John* and *Richard Billings*, as enter'd the 9th Currant and refer'd. Pass'd in Council, viz. In Council, June 13th 1753. Read again, and it appearing that the above-named *William Reed* has been duly served with a Copy of the within Petition; therefore Ordered, That the Petitioners

M

be

be and hereby are allowed to enter their Review of the Action within mentioned, at the Inferiour Court of Common Pleas to be holden at *Boston*, within and for the County of *Suffolk*, on the first Tuesday of *July* next, and the Justices of the said Court are hereby impowred to hear and determine the same, enter up Judgment and award Execution thereon ; provided the Petitioners give sufficient Caution to the Sheriff of the County of *Suffolk*, to pay what now is or finally may be adjudged due.

Sent down for Concurrence.

Read and concur'd.

Petition of  
*Yosb Winslow*,  
Esq; &c.

A Petition of *Yosbua Winslow*, Esq; *Thomas Gunter*, and *Samuel Wentworth*, Merchants of *Boston*, shewing they obtained of this Court the Loan of the Province Ship, for the Importation of Foreign Protestants into this Province ; that in order to prepare said Ship for the Voyage, they advanced *ninety one Pounds two Shillings and one Penny* on the Hull of said Ship, which has been of considerable Advantage for the Sale of her ; and as they were prevented from prosecuting the design'd Voyage; they pray a Reimbursement of the Sum so advanc'd by them.

Read and committed to Mr. *Cushing*, Mr. *Bowdoin*, and Capt. *Sole*, to consider and report thereon.

Report on  
Petition of  
*John Russell*.

The Committee appointed to consider the Petition of *John Russell*, reported according to Order.

Read and accepted, and Ordered, That the Sum of *one Pound seven Shillings and three Pence one Farthing* be allowed the Petitioner out of the publick Treasury, in full for Wages due to him as therein mentioned.

Sent up for Concurrence.

Order on Petition of  
*John Mackenny*.

The Petition of *John Mackenny* of *Scarborough*, and others, as enter'd Yesterday, was read again, and Ordered, That the Petitioners serve the adverse Party *Elizabeth Dearing*, with a Copy of this Petition, that she shew Cause (if any she hath) on the first Tuesday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Bill relating  
to the Poor.

A Bill Intituled *An Act to enable the Overseers of the Poor and Select-Men of the Towns within this Province, to take Care of idle, or poor, or disorderly Persons*. Read three several Times and pass'd to be engross'd.

Sent up for Concurrence by Capt. *Ashley*, Capt. *Newhall*, and Mr. *Gibbs*.

Report on  
Petition of  
Mr. *Israel Turner*.

The Committee to whom was refer'd the Consideration of the Petition of Mr. *Israel Turner*, Representative of *Pembroke*, reported thereon.

Read and accepted, and thereupon the following Vote pass'd, viz.

*Whereas it appears that in June 1736, a Grant was made to the Town of Pembroke, of five Hundred Acres of the unappropriated Lands of the Province, to enable them to keep a Grammar School; and upon the 16th Day of December 1737, a Plat of five Hundred Acres of Land, surveyed and laid out by Nath. Kellogg, Surveyer, and two Chainmen on Oath, to satisfy said Grant bounded North on Northfield, South bounds East-South on Province Lands, and West on Connecticut-River, was presented for Allowance, accepted and confirmed in usual Form, as appears by the Journal of the House of Representatives: And in as much as the Record of said Grant and Confirmation of the said Plat was lost when the Court-House was burnt:*

*Resolved*, That a new Record be made of said Grant and Confirmation of the Plat, agreeable to a Copy taken from the Secretary's-Office, before

before the Court-House was burnt, and what appears in the Journal of the House of Representatives ; and that the Town of *Pembroke* be directed to ascertain the Bounds of said Farm within six Months.

Sent up for Concurrence.

*John Greanleafe*, Esq; brought down the Bill providing that the Province Treasurer shall be under Oath, and give Bond for the faithful Discharge of his Trust, pass'd Yesterday to be engross'd by the House. Pass'd in Council, *viz.* In Council, *June* 14th 1753. Read twice and concur'd as taken into a new Draft. Sent down for Concurrence.

Bill brought down.

Read and concur'd.

The Committee appointed to take under Consideration the Memorial of *Joseph Kellogg*, Esq; reported thereon according to Order.

Report on Memorial of *Jos. Kellogg.*

Read and accepted, and thereupon Ordered, That the Memorialist be allowed and paid out of the publick Treasury the Sum of *eleven Pounds seventeen Shillings and four Pence*, in full for the Services refer'd to in the Memorial.

Sent up for Concurrence.

Ordered, That the Affair of the present State of the *Housatonnoc* and *Western Indians* be consider'd at four o'Clock Afternoon ; and that Mr. *Allen*, Mr. *Witt*, and Mr. *Fletcher*, inquire what Sums of Money have been expended on the Affair of the *Western Indians*, and report at that Time.

Order relating to Western Indians.

A Bill Intituled *An Act to prevent firing of Woods.*

Read a first Time.

*John Wheelwright*, Esq; brought down the Report of the Committee of both Houses appointed to consider the Petition of a Number of *Indians* of *Nantucket*, which was read, and the following Vote pass'd, *viz.*

Report on Petition of *Nantucket Indians.*

*Voted*, That *Roland Cotton*, and *David Crocker*, Esqrs; with such as the honourable Board shall join, be a Committee appointed and impowred to repair to the Island of *Nantucket* as soon as may be, and make Inquiry into the Grievances suggested and complained of by the *Indians* in their Petition, and other Papers accompanying the same ; and all other Matters of Complaint now subsisting.

Also *Voted*, That the Committee have Power to send for Persons and Papers as Occasion may be ; that they endeavour an Accommodation of the Differences between the *English* and *Indians* ; and make Report to this Court of their Doings therein, and what they shall judge proper for this Court to do further thereon. Sent up for Concurrence.

### *Post Meridiem.*

On a Motion made and seconded, *Voted*, That Col. *Cotton*, Mr. *Stockbridge*, and Major *Gerrish*, be a Committee to prepare a List of the Travel and Attendance of the Members the present Session.

Committee for List.

Ordered, That the Committee appointed by both Houses to take under Consideration the Affair of the *Western Boundaries*, be enjoin'd to sit forthwith and report thereon as soon as may be.

Order on *Western Boundaries.*

Sent up for Concurrence.

The Committee to whom was refer'd the Consideration of the Petition of *Zechariah Emery*, reported.

Report on Petition of *Zechariah Emery.*

Read and accepted, and Ordered, That the Petitioner be allowed and paid out of the publick Treasury *three Pounds eight Shillings*, in full Satisfaction for the Loss of two Guns in the Petition mentioned.

Sent up for Concurrence.

The



Report on the  
Petition of the  
Proprietors of  
*Stow*.

The Committee to whom was refer'd the Consideration of the Petition of the Proprietors of *Stow*, reported according to Order.

Read and accepted, and Ordered, That Mr. *Nathanael Russell*, Capt. *Livermore*, and Mr. *Gibbs* of *Newton*, prepare the Draft of a Bill to enable the Proprietors of *Stow* to raise Taxes upon said Propriety, as shall be judged necessary &c.

Petition of  
*Josiah Medes*.

A Petition of *Josiah Medes*, late of *Pembroke*, now of no settled Place in the Province, representing his Services and Sufferings in the late Indian War, and praying the Consideration of this Court thereon.

Read and committed to Mr. *Elisha Jones*, Mr. *Slade*, and Capt. *Pratt*, to consider and report thereon.

Memorial of  
*George Harrington*.

A Memorial of *George Harrington* of *Brookfield*, in Behalf of himself and other Petitioners to this Court, to be annexed to the District of *Spencer*, praying this Court will reconsider their Vote of Reference of the Consideration of their Petition now before the House, till the next Session; and that they will now pass upon the same.

Read, and the Question was put, *Whether the Petition shall be sustained?* It pass'd in the Negative.

Order on Pe-  
tition of *Eben-  
Hill*.

Ordered, That the Petition of *Ebenezer Hill* and *Thomas Kingman* of *Abington*, in the County of *Plymouth*, *Ebenezer Hunt*, *Joshua Torrey*, and *Ebenezer Porter*, of *Weymouth*, *Joseph Stoddard* of *Hingham*, and *Jonathan White* of *Lebanon*, be refer'd for Consideration to Mr. *Hunt*, Capt. *Pratt*, and Mr. *Hall*, to consider and report thereon.

Petition of  
*Henry Berry*.

A Petition of *Henry Berry* of *Boston*, in the County of *Suffolk*, praying Liberty of another Trial in a Cause between him and one *Jonathan Foster* of *Holliston*, in the County of *Middlesex*, at the next Inferiour Court to be holden for the said County of *Middlesex*, the Default mentioned notwithstanding.

Read and Ordered, That the Petitioner serve the abovenamed *Jonathan Foster* with a Copy of this Petition, that so he shew Cause, if any he hath, on the first Friday of the next Sitting of this Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

Order relating  
to the Western  
Frontiers.

The House, agreeable to the Order of the Day, entred into the Consideration of the present State of the Western Indians; and after a Debate,

Ordered, That Mr. Speaker, Mr. *Welles*, and Mr. *Fletcher*, with such as the honourable Board shall join, be a Committee to inquire into the present Situation of the Indians that are now, or have lately been at *Stockbridge*, and report thereon as soon as conveniently may be.

Also Voted, That it be an Instruction to said Committee to inquire what Sums of Money have been expended on that Affair, and report what they judge proper to be done thereon.

Sent up for Concurrence.

Manufactory  
Bill enacted.

A Bill Intituled *An Act for granting the Sum of fifteen Hundred Pounds to encourage the Manufacture of Linnen*.

Read and Resolved, That the Bill pass to be enacted.

Bill engross'd.

A Bill Intituled *An Act to prevent firing of Woods*.

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Voted,



*Voted*, That the Treasurer be directed, and he is hereby impowred to receive of the several Constables and Collectors, the Bills of Credit of the Province, for the publick Taxes now outstanding; and that the said Constables and Collectors are directed and impowred to receive the said Bills for the said Taxes. Treasurer directed.  
Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That the Thanks of this House be given to Mr. *Nathanael Wheelwright*, for the Presents of the Plans of the Lakes of St. *Sacrament* and *Chaplain*, as also of the Town of *Montreal*. Message of Thanks to Mr. Wheelwright.

Then the House adjourn'd till to Morrow Morning nine o' Clock.

## Ueneris 15. Die Junii, A. D. 1753.

**A** Petition of *Samuel Robinson of Hardwicke*, in the County of *Worcester*, in Behalf of himself and the rest of the Proprietors of the *Narragansett* Township Numb. Four, lying Part at a Place called *Quabbin*, and Part West and adjoining to *Hatfield*, shewing that in *December 1739*. this Court granted to the said Proprietors three Thousand five Hundred Acres of Land, as an Equivalent for the great Quantity of Ponds, and *Starr's Grant*; that they apprehend the Act of the Court was destroyed when the Court-House was burnt; they therefore pray this Court will now re establish and confirm the said Grant. Petition of Sam. Robinson.

Read and refer'd till next Sitting for Consideration.

A Petition of Capt. *Moses Marsh* of *Hadley* in the County of *Worcester*, complaining of the Judgment of *Thomas Gilbert, Esq;* a Justice in that County, in a Cause between him and one *John Atkin of Hardwicke*; and praying another Trial, for the Reasons mentioned. Petition of Capt. Moses Marsh.

Read and *Ordered*, That the Petition be dismiss'd.

*Samuel Watts, Esq;* brought down the Petition of *Zephaniah Morton* and *Joseph Warren*, as entred the 8th Instant. Pass'd in Council, viz. In Council *June 12th 1753*. Read and concur'd with the Vote of the House, with the Amendment. Petition of Zeph. Morton bro't down.  
Sent down for Concurrence.

Read and concur'd.

His Honour's Message of the 12th Currant, was read again, and *Ordered*, That Mr. Speaker, Mr. *Welles*, and Capt. *Livermore*, with such as the honourable Board shall appoint, be a Committee to take His Honour's Message under Consideration, and report at the next Sitting of this Court what they judge proper to be done thereon. Committee on His Honour's Message

*Ordered*, That Mr. Speaker, Mr. *Allen*, Mr. *James Bowdoin*, Mr. *Welles*, and Mr. *James Russell*, with such as the honourable Board shall join, be a Committee to take an Account of the torn and defac'd Bills, and Government Securities, now in the Hands of the Treasurer, and consume them to Ashes, and report thereon at the next Sitting of this Court. Committee on torn and defac'd Bills.  
Sent up for Concurrence.

*Ordred*, That the several Districts that have been erected in the Province, be allowed a Law Book at the publick Charge. Order for Law Books.

Sent up for Concurrence.

Petition of  
Sam. Blogget.

A Petition of *Samuel Blogget* of *Haverhill*, shewing that the Estate of *Caleb Blogget*, late of *Woburn*, deceased, was represented Insolvent ; that said Estate was indebted to his Son *Caleb Blogget*, one Hundred and one Pounds sixteen Shillings old Tenor, which Debt the Petitioner purchased, but the Papers being mislaid, he lapsed the Time allowed the Creditors to put in their Claims ; he therefore prays as he has found the Papers. the Judge of Probate for the County of *Middlesex*, may be impowred to lengthen out the Time for the Petitioner to bring in his Claim &c.

Read and committed to Mr. *Hall*, Mr. *Elisba Jones*, and Capt. *Ayres*, to consider and report thereon.

Petition of  
Wm. Menzies.

A Petition of *William Menzies*, Rope-maker, praying he may have the Liberty of another Trial with *John Fayrweather*, Esq; or that he may be heard by Referrees, the Reference and Judgment of Court thereon mentioned notwithstanding.

Read, and the Question was put, *Whether the Petition shall be sustained ?*  
It pass'd in the Negative.

Petitions of  
English Inha-  
bitants of Na-  
tick.

The Petitions of the English Inhabitants of *Natick*, respecting their Parish Affairs, are refer'd for Consideration by both Houses 'till next Sitting.

A Bill Intituled *An Act to revive and continue sundry Laws of this Province that are expired or near expiring.*

Read three several Times and pass'd to be engr ss'd.

Sent up for Concurrence.

Report on  
Petition of  
Jesiah Medes.

The Committee appointed to consider the Petition of *Jesiah Medes*, reported thereon according to order.

Read and accepted, and thereupon Ordered, That the Petitioner be allowed three Pounds out of the publick Treasury in Consideration of his past Services ; and that he be annually allowed forty Shillings for his Subsistence during his natural Life. Sent up for Concurrence.

Bill read and  
refer'd.

The Bill Intituled *An Act in addition to an Act made and pass'd in the present Year of His Majesty's Reign Intituled an Act for the more easy Partition of Lands or other Real Estate given by Will, and held in common and undivided among the Devisees.* Read a second Time.

And Ordered, That the further Consideration of this Bill be refer'd 'till the next Sitting of this Court.

Report on  
Petition of  
Wm. Bordman.

The Committee to whom was refer'd the Consideration of the Petition of *William Bordman*, Jun. reported.

Read and accepted, and Ordered, That the Petitioner have Liberty to come out of Goal, he first paying Charges, and giving Bond with sufficient Sureties to pay the whole Sum for which he is now confined in Goal, to the Province Treasurer, on or before the tenth Day of June next.

Sent up for Concurrence.

Secretary di-  
rected.

On a Motion made and seconded, Ordered, That the Secretary be directed to attend this House.

Who attending at the Door, he was admitted into the House, and was inquir'd of by Mr. Speaker, Whether the engross'd Bill Intituled *An Act providing that the Province Treasurers that may be chosen from Time to Time be under Oath, and give Bond for the faithful Discharge of their Office*, had been laid before His Honour the Lieutenant Governour since it had pass'd both Houses for his Consent ?

Who

Who answer'd that the Bill had been laid before His Honour, who inform'd him, he had not yet sign'd the same, not knowing whether it would be of Service to the Government that such a Bill should pass.

*Ordered*, That Col. Cotton go up with a Message to the honourable Board, to acquaint them the House have nothing on the Table; therefore desire the honourable Board will dispatch all Matters of a publick Nature now before them, that so the Court may rise this Week, if His Honour pleases.

Who return'd he had deliver'd the Message.

A Message from His Honour by Mr. Secretary, viz.

Gentlemen of the Council and House of Representatives,

*I* is a Matter of general Complaint that while the Farmers of the Excise and other Debtors of the Government detain the publick Money in their own Hands, so many Persons that have served the Government, and have Orders for their Pay, cannot obtain it, for want of the Debts due to the Province being gathered and brought into the Treasury: This reflects great Dishonour on the Government, and is very injurious to many Persons. I must therefore earnestly desire you to inquire into this Matter, and that if any Thing be found further necessary to be done by the Legislature in this Affair, it may be no longer neglected.

His Honour's  
Message to  
both Houses.

Council Chamber

S. P H I P S.

June 15. 1753.

Read, together with a Letter from William Lithgow, Commander of the Fort at Richmond, dated June 10th 1753, (which His Honour directed the Secretary to lay on the Table) and *Ordered*, That the Message and Letter be taken under Consideration at three o'Clock Afternoon.

The Committee to whom was refer'd the Consideration of the Petition of Ebenezer Hill, and others, reported thereon according to Order.

Report on the  
Petition of  
Eben. Hill.

Read and thereupon *Ordered*, That the Prayer of the Petition be granted, and that they be allowed to bring forward their Appeal at the next Superiour Court to be held for the County of Plymouth; and the Justices of said Court are hereby directed and impowred to hear and try said Cause, give Judgment and award Execution thereon; provided the Petitioner first pay the Costs which are already arisen.

Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Mr. Hunt, Mr. James Bowdoin, and Mr. Hall, prepare the Draft of a Bill at the next Sitting of this Court, ordering that all Hypothecations of Vessels and Cargoes shall be recorded.

Committee for  
Hypothecati-  
on of Vessels.

Benjamin Lincoln, Esq; brought down the Petition of Solomon Kneeland, Guardian to Katharine Phipps, a Minor, Daughter of Samuel Phipps late of Charlestown in the County of Middlesex, deceased. Pass'd in Council, viz. In Council, June 15th 1753. Read and *Ordered*, That the Prayer of this Petition be granted, and that the Petitioner in his said Capacity be and hereby is impowred to make Sale of the Piece of Land within mentioned, to as good Advantage as may be, the Proceeds of such Sale to be applied to the Use therein mentioned; the said Guardian to observe the Directions of the Law (respecting the Sale of real Estates by Executors and Administrators) as to Time and Manner of giving Persons publick Notice of the intended Sale.

Petition of  
Sol. Kneeland.

Sent down for Concurrence. Read and concur'd.

*Ordered*, That Mr. Gibbs go up with a Message to the honourable Board, to inquire whether any Thing would come down this Forenoon, as the House have Nothing upon the Table.

Message to  
the Board.

Who



Who return'd he had delivered the Message, and was inform'd something would be sent down presently.

Report on  
Petition of  
*Sam. Blogget.*

The Committee to whom was refer'd the Consideration of the Petition of *Samuel Blogget*, reported.

Read accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Judge of Probate for the County of *Middlesex*, be and hereby is impowred to allow three Months from this Time for the Creditors to bring in their Claims to the Estate therein mentioned.

Sent up for Concurrence.

His Honour's Message of this Day was read again, and *Ordered*, That Col. *Cotton*, Mr. *Gibbs*, and Col. *Buckminster*, prepare an Answer thereto.

Answer to  
His Honour's  
Message of  
this Day.

Who agreeable to the above Order reported the following Answer, *viz.*  
*Voted*, That the following Message be sent up to His Honour the Lieutenant Governour, *viz.*

*May it please your Honour,*

The House have received your Message of this Day, and have taken the same under Consideration, and beg Leave in Answer thereto to observe,

That there are considerable Sums of Money in the Hands of Collectors and Constables due to the Government, which ought to have been paid in long ago. As the Treasurer is impowred and directed by Law to enforce the Payment of such Taxes; we trust he either has or will as soon as may be comply with the Law and his Duty in that Regard.

The House are also sensible that the Collectors of Excise upon Coaches Shays and Chairs &c. are very deficient, not only with Respect to the Payment of the Money collected by them, but are under no Bonds to Respond their several Collections to the Government.

The two Houses therefore appointed a Committee to inquire into this Matter, and report what they judge proper and necessary further to be acted by the Court thereon.

As to the Farmers of Excise upon spirituous Liquors &c. The House find that they are under Bonds with sufficient Sureties to answer for the Sums they are obliged to pay into the Treasury; and we esteem it more salutary for our Constituents that it should remain in their Hands than otherways, until some good Method be proceeded in, for the better Security of the publick Monies, that for the future may be lodged in the Treasury: Which the House have been earnestly endeavouring for some Time past to do; and which, if accomplish'd, will be a general Satisfaction to the good People of this Province, whom we have the Honour to represent.

Sent up by Col. *Cotton*, Col. *Winslow*, Capt. *Prebble*, Capt. *White*, and Capt. *Nichols*, who are directed to wait upon His Honour with this Answer this Day, at his House in *Cambridge*.

Bill enacted.

An engross'd Bill Intituled *An Act in Addition to an Act Intituled An Act directing how Meetings of Proprietors of Lands lying in Common may be called.*

Read and *Resolved*, That the Bill pass to be enacted.

Grant to *Laz:  
Noble, &c.*

*Ordered*, That the Sum of *ten Pounds* be granted out of the publick Treasury to *Lazarus Noble* and *Benjamin Mitchell*, in order to enable them to proceed to *Canada* for the Redemption of their Children.

Sent up for Concurrence.



A Bill Intituled *An Act to enable the Proprietors of Stow in the County of Middlesex, so often as it shall be thought necessary for them to raise Money for the Use of said Proprietors, and to tax and assess the original Proprietors of said Town, and their Heirs in equal Proportion to their Interest, when the first Lotts were divided and drawn, &c.* Bills engross'd and enacted.

Read three several Times and pass to be engross'd.

Sent up for Concurrence.

An engross'd Bill Intituled *An Act to revive sundry Laws that are expired or near expiring.*

Read and Resolved, That the Bill pass to be enacted.

A Petition of Mr. Gideon Lyman in Behalf of himself and a Number of the Inhabitants of *Northampton*, praying a Grant of a Tract of Land West of the Township of *Northampton*, under such Restrictions as this Court shall judge proper. Petition of Mr. Gideon Lyman.

Read and Ordered, That the Consideration of this Petition be refer'd till the next Sitting of this Court.

A Bill Intituled *An Act for erecting a Place called Sheepscutt in the County of York into a District.*

Read three several Times and pass'd to be engross'd.

Sent up for Concurrence.

The engross'd Tax-Bill being laid upon the Table, Ordered, That it do not pass the House till their further Order.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Sabbati 16. Die Junii, A. D. 1753.

THE Committee to whom was refer'd the Memorial of *Florentius Vassall*, Esq; of the Island of *Jamaica*, now residing at *Boston*, in *New England*, shewing, That there is a large Tract of Land belonging to the Province, lying to the Eastward of *Penobscut-River*, which if settled, would be a great and manifest Advantage to *New-England*, and a very acceptable Thing to our Mother Country, as it will forever be a Barrier against the French and Indians, and will most certainly be the best, most ready, and sure Way to ascertain the English Rights to those Lands, and also prevent the French from settling, keeping or taking Possession of them; and as these Lands have never yet been settled and improved, so they have never been of any Benefit to this Province, and while they remain so, it's probable never will; and as the Peopling and Settling of these Lands will necessarily be attended with very great Risque and Expence, so the Memorialist doubts not, but this honourable Court would give all possible Encouragement to any Person or Persons, who would engage in so difficult an Undertaking, which if effected, will be such a prodigious Advantage to the Province. Memorial of Florentius Vassall, Esq;

The Memorialist therefore now proposes to this honourable Court, that if they will be pleased to make a Grant to him and such Associates as he may be able to procure in *Europe* (where he is shortly bound) of all that Tract of Land, lying between the River and Bay of *Penobscut*, and the River *St. Croix*, so called (a Confirmation of which Grant he apprehends he can obtain in *England*) the Memorialist would become engaged for himself and his Associates, to settle such a Number of Inhabitants on said Lands, and in such a Time, as your Honours shall judge reasonable; and if this should not be done within the Time limited, that the Lands shall then revert to the Province again; and if this should happen, it will be no Loss to the Province, but to the Undertakers only.

The Memorialist therefore prays this honourable Court to take the Premises into Consideration, and make a Grant of the Lands aforesaid to him and such Associates as he shall procure, for the good Ends aforesaid, on such Terms as this Court in their Wisdom shall judge proper.

The Committee to whom was refer'd the Consideration of the Memorial above-written, reported as follows, *viz.*

That they are of Opinion, that the Settlement proposed may be very advantageous, and greatly promote his Majesty's Interest, and the Safety and Welfare of this Province; and therefore think it adviseable that the Great & General Court agree & grant to the said *Vassall* that he, his Heirs and Associates shall have and hold all the Land lying between the River and Bay of *Penobscut*, and the River of *St. Croix*, and all the Islands on the Sea Coast of said Tract within three Miles, to be computed from the nearest Part of said Islands to the main Land, he the said *Vassall*, his Heirs and Associates, procuring the Approbation of his Majesty, his Heirs or Successors, and by or before the last Day of *May*, which will be in the Year 1768. settling five Thousand People, being Christian Protestants, Men Women and Children, on the Premises, and erecting as many Houses for public divine Worship, and settling as many Protestant Ministers as shall be necessary or suitable for such Setlers; and satisfying the aboriginal Natives for any Right they may claim, and in Default thereof, that the said Tract of Land be and remain to the Province, as it would if this Grant Compact or Agreement had never been made.

Read and *Ordered*, That the Memorial and Report thereon, as above recited, be printed in the Journal of the House, and the further Consideration thereof is refer'd till the next Sitting of this Court.

The Committee to whom was refer'd the Consideration of the Memorial of *Joshua Winslow*, Esq; and others, relating to the Charges they were at in repairing the *Massachusetts*-Frigate, reported thereon according to Order.

Read and *Ordered*, That the Report be recommitted, and Mr. *Fletcher*, and Mr. *Witt*, are joined in the Affair.

Report on  
Petition of  
*Sam. Wentworth* &c.

Report on Pe-  
tition of *Quab-*  
*bin*.

The Committee appointed to consider the Petition of sundry of the Inhabitants of the Plantation of *Quabbin*, reported thereon.

Read and accepted, and thereupon the following Vote pass'd, *viz.*

*That in as much as it appears that the Meeting held at said Quabbin in March last for the Choice of Parish Officers was illegal:* Therefore,

*Voted*, That the Parish Committee for said *Quabbin* for the last Year, be impowred and directed as soon as may be, to issue their Warrant for a Meeting of said Parish, at such Time and Place as they shall appoint; and said Parish when assembled, shall be impowred by a major Vote, to chuse such Parish Officers, as by Law they might have done in the Month of *March* last.

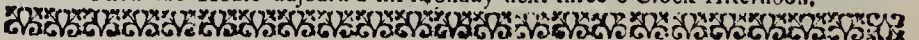
Sent up for Concurrence.

Petition of  
*Wm. Thomas*.

A Petition of *William Thomas* of *Plymouth*, Physician, shewing that about the last of *January* past, a Brigantine was cast-away at *Monument-Ponds* within said Town; that one *Mack Neal* a Sailor on Board with much Difficulty (being frozen) was carried to the House of *John Sturtevant* in said Town, where he lay a long Time; that he has been obliged to cut both his Feet off, and all the Fingers from both his Hands, and has attended him, and administered Medicines to him to the Amount of *sixty seven Pounds eighteen Skillings*, for which he prays a Grant out of the publick Treasury.

Read and committed to Mr. *Allen*, Col. *Winslow*, Capt. *Williams*, Col. *Richards*, and Mr. *Witt*, to consider and report thereon.

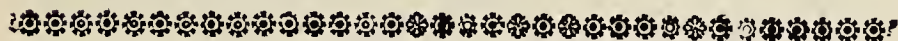
Then the House adjourn'd till Monday next three o'Clock Afternoon.





# VOTES

Of the House of Representatives.



Linnæ 18. Die Junii, A. D. 1753.

[Lunae]

Obn Otis, Esq; brought down the Petition of *Ebenezer Hill*, and others, as entred the 15th Currant, and refer'd. *Petition of Eben. Hill &c. bro't down.*  
 Pass'd in Council, viz. In Council June 16th 1753.  
 Read and nonconcur'd, and Ordered, That the Petitioner serve *Andrew Belcher*, Esq; (Attorney to his Father Governour BELCHER) with a Copy of this Petition, that he shew Cause, if any he hath, on Tuesday next the 19th Instant, why the Prayer thereof should not be granted. Sent down for Concurrence.  
 Read and concur'd.

The House entred into the Consideration of the Report of the Committee of both Houses, respecting the Western Boundaries of this Province, and after a considerable Debate thereon, *Order relating to Western Boundaries.*

Ordered, That the further Consideration thereon be refer'd 'till to Morrow Morning ten o'Clock; And that the Memorial of *Oliver Partridge*, Esq; relating to the Purchase of the said Lands, be refer'd also to that Time.

Ordered, That Capt. *Livermore* go up to the honourable Board, and acquaint them, that the House propose to proceed to the Choice of Civil Officers (the Treasurer excepted) to Morrow Morning ten o'Clock. *Message to the Board.*

Who returned he had delivered the Message.

*Samuel Watts*, Esq; came down from the honourable Board, and informed the House they agree to the above Proposal.

Ordered, That Mr. *Welles*, Capt. *Joseph Williams*, and Mr. *Allen*, with such as the honourable Board shall appoint, be a Committee fully impowred to inspect and examine the Accompts of the Commissioners of the Land Bank or Manufactory Scheme, in the Recess of the Court; and report at their next Sitting the present State of their Accompts, and what they judge proper to be done thereon. Sent up for Concurrence. *Committee on Land Bank Affair.*

The Committee appointed to wait on His Honour the Lieutenant Governour, at his Seat in *Cambridge*, with the Answer to his Message of the 15th Currant, reported, That they had attended that Service, and acquainted



quainted His Honour, that as he had not been in the Chair since Friday Morning, the House had directed them to wait on him at his own Seat, with an Answer to his Message above refer'd to ; which they now delivered to present to him. And his Honour was pleas'd to say :

That he should receive no Message from the House out of the Chair ; That the House might remember, that a former Governour was blam'd when he had a Controversy with the House, to receive a Message out of the Chair.

The Committee answered, That the House had no Controversy with His Honour, neither should the Committee controvert with him : But they in Obedience to the House were now ready to deliver their Message to him, if he pleas'd

Who returned for Answer, That he should not receive any Message out of the Chair.

Committee  
for the several  
Counties to  
farm the Ex-  
cise,

*Voted*, That Mr. *Welles* and Capt. *Spurr*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Suffolk*. Sent up for Concurrence.

*Voted*, That Mr. *Coggswell* and Mr. *Greenleaf*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Essex*. Sent up for Concurrence.

*Voted*, That Mr. *James Russell* and Capt. *Livermore*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Middlesex*. Sent up for Concurrence.

*Voted*, That Col. *Partridge* and Col. *Worthington*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Hampshire*. Sent up for Concurrence.

*Voted*, That Capt. *Marcy* and Capt. *Ayrès*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Worcester*. Sent up for Concurrence.

*Voted*, That Col. *Winslow* and Col. *Bradford*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Plymouth*. Sent up for Concurrence.

*Voted*, That Col. *Cotton* and Col. *Otis*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Barnstable*. Sent up for Concurrence.

*Voted*, That Capt. *White* and Capt. *Cobb*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Bristol*. Sent up for Concurrence.

*Voted*, That Mr. *Welles* and Capt. *Prebble*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *York*. Sent up for Concurrence.

*Voted*, That Col. *Mayhew* and Capt. *Norton*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Dukes-County*. Sent up for Concurrence.

*Voted*, That Mr. *Abishai Folger* and Mr. *Richard Coffin*, with such as the honourable Board shall join, be a Committee to farm out the Excise for the County of *Nantucket*. Sent up for Concurrence.

*Voted*,



*Voted*, That the Committees of the several Counties thro' the Province appointed to farm out the Excise, insert in the publick Prints the Time and Place design'd for that Purpose; and that the Commencement of the Rates for said Excise is on the 9th of *July* next.

Committees  
for farming  
the Excise,  
directed.

Sent up for Concurrence.

Then the House adjourn'd till to Morrow Morning nine o'Clock.

## Martis 19. Die Junii, A. D. 1753.

**A**N engross'd Bill Intitl'd *An Act to prevent firing the Woods.*

Read and *Resolved*, That the Bill pass to be enacted.

Bills enacted.

An engross'd Bill Intitl'd *An Act for erecting a Place called Sheepscut in the County of York into a District.*

Read and *Resolved*, That the Bill pass to be enacted.

The House, agreeable to the Order of the Day, entred into the Consideration of the Report of the Committee appointed by both Houses on the Western Boundaries.

Which Report being read, is as follows, *viz.*

That considerable Improvements have been made on the Province Lands lying West of *Sheffield* and *Stockbridge*, without any Grant or Liberty from this Government; the Committee therefore are of Opinion, that a Committee be appointed by this Court to repair to said Lands, with full Power to dispose of the same to the Person or Persons who have made or caused such Improvements, in such Quantities as they shall judge reasonable, for such Sums of Money as the Land may be judged to be worth, without having Respect to the Improvements made upon them; and take Bonds with sufficient Sureties for the Payment of the Moneys into the Province Treasury within two Years: And in Case any of the said Persons refuse to purchase the same or give Bond as aforesaid, that then the said Committee be impowred to dispose of the same to such other Person as shall appear to purchase said Lands, who are also impowred in Behalf of the Government, to deliver Possession of the Lands to the Persons respectively that shall appear to purchase the same: And the said Committee to be further impowred to dispose of the Province Lands lying West of said Townships, which are not taken up by any Person, to such as shall appear to purchase the same, they giving Bond to said Committee as aforesaid for the Sums they shall value the Land at; and that all the Lands lying West of *Sheffield* be annexed to said Town, to do Duties and receive Privileges there, and those Lands lying West of *Stockbridge* be annexed to said Town, to do Duties and receive Privileges there.

Report on the  
Western  
Boundaries.

All which is humbly submitted,

*Jacob Wendell*, per Order.

Read, and *Voted* unanimously, That this Report be accepted, and that a Committee be appointed by this Court for the Purposes herein mentioned accordingly.

Sent up for Concurrence.

*Voted*, That the Committee appointed to wait on His Honour the Lieutenant Governour with their Message at his Seat in *Cambridge*, be directed now to go up with the said Message to His Honour, who is now in the Chair.

Message to  
His Honour.

Who returned they had delivered the Message.

*Ordered*,

Committee  
for sorting the  
Votes for civil  
Officers.

*Ordered*, That Capt. *White*, Mr. *Hall*, and Mr. *Stockbridge*, be a Committee to carry up the Votes of the House for the Choice of Civil Officers, assist in sorting and counting them, together with the Votes of the honourable Board, and report the several Elections that shall be made.

Gentlemen  
chosen civil  
Officers.

The said Committee carried up the Votes for an Impost Officer, and reported that *Daniel Russell*, Esq; was chosen.

The said Committee carried up the Votes for an Officer for purchasing Provisions &c. for the Soldiers on the Frontiers, and reported that *John Wheelwright*, Esq; was chosen.

The said Committee carried up the Votes for two Notaries Publick for the Port of *Boston*, and reported that *Ezekiel Goldthwait*, Esq; and Mr. *Ezekiel Price*, were chosen.

The said Committee carried up the Votes for four Notaries Publick for the Port of *Salem*, one whereof to be an Inhabitant of *Salem*, one of *Marblehead*, one of *Glocester*, and one of *Newbury*, and reported that Mr. *James Jeffrey*, Mr. *John Chipman*, *William Atkins*, Esq; and *Daniel Witkam*, Esq; were chosen.

The said Committee carried up the Votes for a Notary Publick for the Port of *Plymouth*, and reported that *Edward Winslow*, Esq; was chosen.

The said Committee carried up the Votes for a Notary Publick for the Port of *Barnstable*, and reported that *Solomon Otis*, Esq; was chosen.

The said Committee carried up the Votes for a Notary Publick for the Port of *Kittery*, and reported that Mr. *Elibu Gunnison*, was chosen.

The said Committee carried up the Votes for a Notary Publick for the Port of *Falmouth* in *Casco-Bay*, and reported that Mr. *Stephen Longfellow* was chosen.

The said Committee carried up the Votes for a Notary Publick for the Port of *York*, and reported that *Daniel Moulton*, Esq; was chosen.

The said Committee carried up the Votes for a Notary Publick for the Port of *Edgartown* on *Martha's-Vineyard*, and reported that *John Norton*, Esq; was chosen.

The said Committee carried up the Votes for a Notary Publick for the Port of *Nantucket*, and reported that Mr. *John Bunker* was chosen.

The said Committee carried up the Votes for a Truck-Master at the Block-House at *St. George's*, and reported that Capt. *Jabez Bradbury* was chosen.

The said Committee carried up the Votes for a Truck Master at *Richmond-Fort*, and reported that Capt. *William Lithgow* was chosen.

Message to  
the Board.

*Ordered*, That Capt. *White* go up to the honourable Board, and inform them, that the House have nothing on the Table; and desire the Board will dispatch all Matters of a publick Nature now before them, that so the Court may rise this Day, if His Honour pleases.

Who returned he had delivered the Message.

### *Post Meridiem.*

All Matters  
refer'd.

*Voted*, That all Matters now before the Court, and that shall not be passed upon, have the same Day at the next Sitting of this Court.

Sent up for Concurrence.

*Ordered*,

*Ordered*, That Mr. Speaker, Mr. *Fletcher*, Mr. *Welles*, Mr. *Allen*, Mr. *James Russell*, Mr. *James Bowdoin*, and Capt. *Joseph Williams*, be Committee on a Committee to examine the Accompts of the Commissary-General for General's Accompts. the Years 1751 and 1752, and report at the next Sitting of this Court thereon, and that it be an Instruction to the Committee, that they take an exact Account of the Cash in the Commissary's Hands.

On a Motion made and seconded, *Ordered*, That Mr. Speaker be directed to prepare the Draft of a Bill to prevent Fraud in the Length of Cord Wood &c. Committee for Bills.

*Ordered*, That Mr. Speaker, Mr. *Welles*, and Mr. *Allen*, prepare the Draft of a Bill, providing that there be a just Admeasurement of the Boats employed to supply the Navigation with Ballast &c.

*James Minot*, Esq; brought down the following Vote of Council, viz.  
In Council June 19th 1753.

*Ordered*, That *Jacob Wendell*, *Samuel Watts*, *Andrew Oliver*, and *Thomas Hutchinson*, Esqrs; with such as the honourable House of Representatives shall join, be a Committee to prepare the Draft of proper Instructions for this Court to give to the Gentlemen that shall be appointed to make Sale of the Lands belonging to this Province in the Western Parts thereof, and make Report as soon as may be. Committee for Instructions.

Sent down for Concurrence.

Read and concur'd, and Mr. Speaker, Mr. *Welles*, Col. *Partridge*, Capt. *White*, and Mr. *Allen*, are joined in the Affair.

*Ordered*, That Capt. *Marcy*, Capt. *Livermore*, and Capt. *Pratt*, be a Committee to prepare the Draft of a Bill to prevent the Destruction of Sheep by Wolves. Committee for a Bill.

Then the House adjourn'd till to Morrow Morning nine o'Clock.

## Mercurii 20. Die Junii, A. D. 1753.

*James Minot*, Esq; brought down the Report of the Committee of both Houses appointed to prepare Instructions for a Committee of both Houses, that this House propose to appoint to dispose of the Province Lands lying West of *Sheffield* and *Stockbridge*. Report on Instructions.

Which was read and accepted, as taken into a new Draft.

Sent up for Concurrence.

*Voted*, That His Honour the Lieutenant Governour be desired to withdraw and disband all the Men posted at *Fort-Massachusetts*, except five; and that the commanding Officer there be allowed Serjeant's Pay. His Honour desired to disband Man.

Also *Voted*, That His Honour be desired to withdraw the two Men posted at *Fort-Shirley* and *Fort-Pelham*.

Sent up for Concurrence.

The Petition of *William Thomas* of *Plymouth*, Physician, was read again, and Order on Petition of *Wm. Thomas*.

*Ordered*, That the Petitioner be allowed and paid out of the publick Treasury the Sum of fifty Pounds, in full Consideration of his Account to the Petition annexed. Sent up for Concurrence.

A Memorial of *James Leonard*, shewing, that in December last he petitioned this Court in an Affair between him and *John Codman*, in which he (the Petitioner) was aggrieved by many false Representations of the said *Codman*, and thereby lost the Benefit of the Prayer of that Memorial of *James Leonard*.



Petition ; he therefore prays the same may be revived, and the Prayer thereof granted, for the Reasons mentioned.

Read and Ordered, That Capt. *White* go up to the honourable Board, and desire the said Petition may be sent down.

*Samuel Danforth*, Esq; brought down the same.

Which Petition was read again, and Ordered, That the Petition be revived, and that the Petitioner serve the adverse Party *John Codman* with a Copy thereof, that so he shew Cause, if any he hath, on the first Tuesday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Also Ordered, That no Process in the Law respecting this Affair be staid by this Order. Sent up for Concurrence.

Mr. Secretary came down with the following Message from His Honour, viz.

Gentlemen of the House of Representatives,

His Honour's  
Message to  
the House.

*I Had nothing in View in my Message of the 15th Instant, but to put you in Mind of what I thought incumbent on you, in order to the promoting of Justice, and the Interest of the Province. I thought it an unreasonable Thing, that the publick Moneys should remain in the Hands of the Persons appointed to collect them, and the Servants of the Government by Means thereof be kept out of their Pay. You have thought proper to let me know, that so far as respects the Farmers of Excise, who are under Bonds, you apprehend it more salutary the Sums they are obliged to pay should remain in their Hands, than otherwise, unless some good Method be proceeded in for the Security of the Treasury, which the House for some Time past had been endeavouring &c.*

*It is really extraordinary, that you should not be able to find a Gentleman in the Province for your Treasurer, with whom the publick Moneys would be as secure as they are in the Hands of a Farmer of Excise, with his Bonds-Men added to him : Or if you intend by this Manner of Expression, to shew your Resentment at my not immediately agreeing to the Bill you had prepared to oblige the Treasurer to give Security ; I must ask you, Gentlemen, Whether you imagine, the Power of a Negative reserved by the Royal Charter to the King's Governour, is never to be made use of ? Is he never in any Case, to exercise his own Judgment ? And when a Bill is laid before me for my Consent which introduces a new Practice, which upon Inquiry I cannot find the Province has ever in any Measure suffered by being without ; and besides, contains only Matter for the Direction and Government of the General Assembly, which may as effectually be answered by a Resolution of the Court, as by the Formality of an Act ; Have I no Liberty to dissent from it ? Must the Consequence of every such Difference in Judgment be an immediate Proposal to rise, leaving the most necessary Affairs, the Supply of the Treasury, and the Means of supporting his Majesty's Government, not entred upon ? If any Inconvenience accrues to the Province for want of any necessary Care of their Interest in these Respects, the Blame will lie on them who refuse to concern themselves with it.*

Council Chamber

S. P H I P S.

June 19. 1753.

Read and Ordered, That Capt. *Joseph Williams* go up with a Message to the honourable Board, and acquaint them, the House desire they will re-assume the Consideration of the Resolve sent up some Days ago, respecting the Qualification of a Province Treasurer ; and that they will now pass upon the same.

Who returned he had delivered the Message.

A Bill Intitled *An Act in Addition to the Act Intitled An Act for encouraging the killing of Wolves, Bears, wild Cats and Catamounts within this Province.* Read three several Times and pass'd to be engross'd.

Sent up for Concurrence,

*John Wheelwright, Esq;* brought down the Resolve of the House of the 8th Currant, respecting the Qualification of the Treasurer &c. Pass'd in Council, viz. In Council June 20th 1753. Read and concur'd with the Amendments. Resolve bro't down.

Read and concur'd with a further Amendment.

Sent up for Concurrence.

*Ordered,* That the several Committees appointed to examine the Accounts of the defective Sheriffs thro' the Province, be directed to report forthwith. Committees directed.

On the Representation of the Committee on the Sheriffs of *Bristol,*

*Ordered,* That they be allowed to report as soon as they can settle with the said Sheriffs or their Heirs.

His Honour's Message of the Forenoon, was read again, and *Ordered,* That *Mr. Welles, Mr. Gibbs, and Col. Winslow,* prepare an Answer thereto, and report thereon. Order on his Honour's Message.

*Ordered,* That *Col. Partridge* go up to the honourable Board, and inquire, Whether they have pass'd upon the Vote respecting the Western Boundaries, sent up in the Forenoon. Messages to the Board.

Who returned he had delivered the Message.

*Ordered,* That *Mr. Allen* go up to the honourable Board, and inquire whether they have pass'd on the Resolve respecting the Qualification of a Treasurer, since last sent up.

Who returned he had delivered the Message, and was informed by Mr. Secretary, that the Amendments made thereon by the House were nonconcur'd.

*Ordered,* That *Capt. Livermore* go up to the honourable Board, and inquire whether any Thing will come down this Evening.

Who returned he had delivered the Message.

*Benjamin Lincoln, Esq;* brought down the Report of the Committee of both Houses respecting the Western Boundaries, with a Vote of Council thereon; which was read and nonconcur'd, and thereupon a Message was prepared and sent up to the honourable Board by *Col. Partridge, Mr. Welles, Mr. Allen, Col. Winslow, Capt. White, Capt. Livermore,* and *Col. Buckminster.* Report respecting the Western Boundaries.

Who returned they had delivered the Message.

*Benjamin Lincoln, Esq;* brought down the following Vote of Council, viz. In Council June 20th 1753.

*Ordered,* That the Committee appointed to provide for such of the Indians of the Six Nations as might incline to settle at or near *Stockbridge,* be directed to forbear making any Agreement for the Hop Lands (so called) until the Committee appointed the 14th Instant, to inquire into the Situation of the Indians there, shall report to this Court; and that the said last mentioned Committee be directed to inquire what Measures have been already taken as to making an Agreement for said Lands, and report thereon as soon as may be. Vote relating to Western Lands.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

**Jobis**

# *Jobis* 21. *Die Junii*, A. D. 1753.

Message to the  
the Board.

*Ordered*, That Col. *Buckminster* go up with a Message to the honourable Board, to desire they will send down the Resolve respecting the Qualification of a Treasurer.

*Eleazer Porter*, Esq; brought down the said Resolve.

*Voted*, That Col. *Cotton*, Col. *Partridge*, and Capt. *White*, prepare a new Draft of said Resolve: Which they (after some Time) reported they had done.

Which was read and accepted by the House; and is as follows, *viz.*

Vote relating  
to the Quali-  
fication of a  
Treasurer.

*Voted*, That no Person that shall be elected by this Court into the Office of a Treasurer or Receiver-General for this Province, for the present Year, shall be esteemed duly qualified to enter upon the Execution of that Office, until he shall first have an Oath administered to him for his faithfully performing the Duty of his said Office, and shall also give Bond with sufficient Sureties to the Acceptance of a Committee to be appointed by this Court for that Purpose, in the Sum of *thirty Thousand Pounds* Lawful Money, to the three eldest Councillors in the Province for the Time being, who are hereby appointed a Committee in Behalf of the Province, and especially authorized for this Purpose; which Bond shall be Conditioned for such Treasurer's truly and faithfully discharging the Duty of his said Office according to Law; and for his rendring an Account when and so often as he shall be required by the General Court, of all such Sums of Money, as he shall from Time to Time receive into the Treasury, and for his well and truly paying to his Successor in said Office, or to any other Person that may be appointed by the General Court to receive the same, all such Sum or Sums of Money as upon such Settlement of his said Accompts or otherwise shall be found due and payable from him to the Province; provided that the said Bond be put in Suit within two Years next after the Date thereof, otherwise to be void, and of none Effect.

Also *Voted*, That Mr. *James Bowdoin* and Capt. *Joseph Williams*, with such as shall be joined by the honourable Board, be a Committee to judge of the Sufficiency of such as may offer to become Sureties for the Treasurer as aforesaid. Sent up for Concurrence.

## *Post Meridiem.*

Commis-  
sioners chosen.

The House proceeded to bring in their Votes by joint Ballot for the Choice of Commissioners to repair to the Western Parts of the Province &c. And

*Voted*, That Capt. *White*, Mr. *Welles*, and Capt. *Joseph Williams*, be a Committee on the Part of the House, to sort and count the Votes, together with the Votes of the honourable Board, and report the Election of the said Commissioners.

Who returned that *Samuel Welles*, *John Chandler*, and *James Otis*, Esqrs; were chosen.

Secretary di-  
rected.

*Ordered*, That the Secretary be directed to attend the House.

Who waiting at the Door, was admitted into the House: And Mr. Speaker inquired of him, Whether the Resolve respecting the Qualification of a Treasurer had been laid before His Honour, since it had pass'd both Houses?

Who returned, That it now was before His Honour, but that he had not given his Consent as yet.

The



The Committee appointed to take under Consideration His Honour's Message of the 19th Currant, reported according to Order.

Read and accepted, and is as follows, viz.

*May it please your Honour,*

The House taking into Consideration your Honour's Message of the 19th Instant, beg Leave to say; That in their Message of the 15th of June, they had no Manner of Design to Question your Honour's Power of acting freely as his Majesty's Governour; or to preclude your Honour from exercising your own Judgment in any Matters that concern the Government.

But that the House after due Deliberation having found great Inconveniencies have arisen to the good People of this Province in the Way they have hitherto been in, with Respect to the Treasurer, judg'd it expedient that some new Method might be entred into with Regard to that Affair; and humbly thank your Honour in pointing out that Method by Way of Resolve, which, in the Apprehension of the House, will fully answer all the salutary Ends that they intended.

And as this House have shewn their early Zeal in providing for Moneys to defrey the Expence of the Government by Way of Tax; and as the Security of the Money was the only Obstacle that prevented their putting a finishing Hand to that Affair, which they humbly hope is removed in a Way agreeable to your Honour; take Leave to assure you, that they are ready to do every Thing in their Power for the Support of His Majesty's Government, and the Good of their Constituents.

Sent up by Col. *Worthington*, Capt. *Partridge*, Capt. *Prebble*, Capt. *Joseph Williams*, and Capt. *Brigham*.

Who returned they had delivered the Message.

The engros'd Tax Bill was read, and *Resolved*, That the Bill pass to be enacted.

*Ordered*, That Capt. *Livermore* go up to the honourable Board, and acquaint them, the House propose to proceed to the Choice of a Province Treasurer, at half an Hour after six o'Clock this Afternoon.

Who returned they had delivered the Message.

*Benjamin Lincoln*, Esq; came down from the Board, and inform'd the House, the Board agree to the Proposal.

*Ordered*, That Capt. *White*, Col. *Worthington*, and Mr. *James Russell*, be a Committee on the Part of the House, to sort and count the Votes, and report the Election that shall be made.

Who reported, that Mr. *Harrison Gray* was chosen.

Mr. Secretary came down and informed the House, that to Morrow being the Accession of his most excellent Majesty to the Throne, the Governour and Council propos'd to drink the King's Health in the Court House, and desire the Company of the House on that happy Occasion.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

**Veneris 22. Die Junii, A. D. 1753.**

ON a Motion made and seconded, *Ordered*, That Mr. Speaker, Mr. *James Russell*, and Mr. *Welles*, with such as the honourable Board shall appoint, be a Committee to project a Bill for stating the Value of Gold, and making it a Tender in private Payments; they to report at the next Sitting of this Court.

Sent up for Concurrence.

*New-Castle*  
order'd a Law  
Book.

*Ordered*, That the District of *New-Castle* be allowed a Province Law Book at the publick Charge. Sent up for Concurrence.

Committee  
for receiving  
of the late, and  
delivering to  
the new Treas-  
urer.

On a Motion made and seconded, *Voted*, That Mr. Speaker, Mr. *James Russell*, and Mr. *Fletcher*, be a Committee, in the Recess of the Court, to receive all the publick Papers & Cash from the late Treasurer, give him a Discharge for the same, and deliver them to the Treasurer lately chosen, as soon as qualified. Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Col. *Cotton*, Capt. *White*, Major *Coolidge*, Mr. *Greenleaf*, and Capt. *Richmond*, be a Committee to wait on His Honour the Lieutenant Governour, and acquaint him the House have dispatched all the publick Business that has been before them ; therefore desire a Recess this Afternoon, if His Honour pleases.

Who returned they had delivered the Message.

### *Post Meridiem.*

Letter from  
Gov. *Shirley*,  
communica-  
ted by Mr. Se-  
cretary.

Mr. Secretary came down from the Honourable Board, and inform'd the House, he had received a publick Letter from His Excellency Governour *SHIRLEY*, dated *St. James-Street, April 27th 1753.* which he had read to the Governour and Council ; and then laid the same on the Table. Read.

And thereupon *Ordered*, That Mr. Speaker, Mr. *Welles*, and Capt. *Livernmore*, with such as the honourable Board shall appoint, be a Committee to inquire what Papers have been sent to Mr. Agent *Bollan*, respecting the Boundaries between this Government, *Connecticut* and *Rhode-Island* ; as also relating to the Slops supplied in the Expedition against *Cape-Breton* &c. and what Papers and Evidences are still necessary to be sent ; and that they forward such Papers and Evidences to Mr. Agent *Bollan*, as soon as may be.

Sent up for Concurrence.

Committee  
for His Excel-  
lency's Re-  
ception.

On a Motion made and seconded, *Ordered*, That Mr. Speaker, Capt. *Taske*, Mr. *Allen*, Mr. *James Russell*, Mr. *Welles*, Capt. *Joseph Williams*, and Mr. *Fletcher*, with such as the honourable Board shall appoint, be a Committee to make suitable Provision for the Reception of His Excellency *WILLIAM SHIRLEY*, Esq; who is expected to his Government in a short Time. Sent up for Concurrence.

Prorogation  
of the Court.

A Message from His Honour the Lieut. Governour by Mr. Secretary, *viz.* Mr. Speaker, His Honour directs that this Great and General Court be Prorogued to Wednesday the fifteenth Day of *August* next. And then Mr. Secretary declared the Court to be Prorogued to that Time.



Anno Regni Regis G E O R G I I II. Magnæ Britannię Franciæ et Hiberniæ &c.  
Vicesimo Sexto.



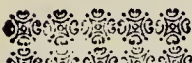
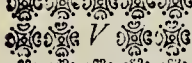

A

# JOURNAL

Of the Honourable House of

REPRESENTATIVES.

At a Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*, begun and held at *Boston* in the County of *Suffolk*, upon Wednesday the 30th Day of *May*, Anno Dom. 1753. and from thence continued by fundry Prorogations to Wednesday the 5th of *September* following, and then met at *Boston*, being the second Session of the said Court.

 Oted, That Col. *Otis*, Col. *Winslow*, Col. *Cotton*, Mr. *James Bowdoin*, and Capt. *White*, be a Committee to wait upon His Excellency Governour *SHIRLEY*, and acquaint him that a Quorum of the House are now met, and are ready to proceed to the Business of the Session. Quorum of the House met.  
 V  Who returned they had delivered the Message.

Ordered, That Mr. *Speaker*, Mr. *Welles*, Col. *Winslow*, Col. *Otis*, and Mr. *Fletcher*, be a Committee to prepare the Draft of a Congratulatory Address to His Excellency, upon his safe and happy Arrival to his Government. Committee to prepare an Address.

Who, after some Time spent therein, Reported they had prepared the same : Which was read and accepted ; and thereupon,

Ordered, That Col. *Winslow*, Col. *Cotton*, Col. *Buckminster*, Col. *Otis*, and Col. *Lawrence*, be a Committee to wait on His Excellency the Governour, and acquaint him, the House have prepared an Address, which they are ready to present to him, when His Excellency pleases. Committee to wait on His Excellency.

Who returned that His Excellency is now ready to receive the said Address,



Mr. Speaker and the House went up to the Province House, and Mr. Speaker in the Name and by Order of the House, delivered the following Address to His Excellency, and received his Answer.

And then Mr. Speaker and the House returned to their own Chamber.

The ADDRESS is as follows, *viz.*

*To His Excellency WILLIAM SHIRLEY, Esq; Captain General and Governour in Chief, in and over his Majesty's Province of the Massachusetts-Bay in New-England.*

Address to  
His Excellen-  
cy.

*May it please your Excellency,*

THE Representatives of his Majesty's loyal Subjects of the Province of the *Massachusetts-Bay* in General Court now first assembled since your Return, beg leave to wait on your Excellency from all Parts of the Province, with the universal Joy of a whole Country, on your much desir'd, safe and happy Arrival.

As in your past Administration in Time of War, by the Divine Blessing on your Valour and Wisdom, we had the Honour and Advantage of a Conquest over his Majesty's Enemies in these Parts of the World; Now in what is future, since the War is over, we pray, that the same divine Hand may succeed your wise and faithful Endeavours, so that the Blessings of Peace may abound among us.

It would have been a singular Pleasure to us, if your Excellency had succeeded in settling the Boundaries with the *French in America*; for which his Majesty was pleas'd to detain you so long from us: But that Nation have been for a long while more famous for doing Justice by Compulsion, than Inclination; and since you have not succeeded in the last Method, we doubt not but when you have His Majesty's Directions, you will succeed as heretofore in the former.

We earnestly implore the Divine Presence and Blessing on all your wise Counsels and unwearied Labours for His Majesty's Honour, and the Interest of his good Subjects here; and assure your Excellency we shall always study and endeavour to strengthen your Hands therein.

To which His Excellency was pleas'd to make the following Answer.

Gentlemen,

His Excellen-  
cy's Answer.

*I Am much oblig'd to you for this publick Mark of your Esteem and Regard for me: Your good Acceptance of my past Services for promoting the Interest of His Majesty's People in this Province, whom you represent, is an high Satisfaction to me: I am in hopes that the Negotiation, in which I have been employed at Paris, will terminate successfully: I shall ever continue my Endeavours for His Majesty's Service, and the Prosperity of the Province in my future Administration.*

A Message from His Excellency the Governour, by Mr. Secretary Willard, *viz.*

Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly, and His Excellency was pleas'd to make a SPEECH to both Houses; of which Mr. Speaker obtain'd a Copy; and then with the House returned to their own Chamber.

His Excellency's SPEECH is as follows, *viz.*

*Gentlemen*

*Gentlemen of the Council, and House of Representatives,*

“ **M**Y Employment, as one of His Majesty’s Commissaries at *Paris*,  
 “ to which I had the Honour of being appointed soon after  
 “ my Arrival in *England*, hath occasion’d my Absence from you three  
 “ Years longer than I propos’d to myself, when I left *Boston* : I was  
 “ indeed apprehensive that this Negotiation, as others of the like  
 “ Nature frequently are, might be protracted to a considerable Length;  
 “ and consequently attended with Expence and other Inconveniencies  
 “ to me in my private Affairs : But as among other Interests of the  
 “ Crown, which I had it at Heart to serve in this Negotiation, a large  
 “ Territory belonging to this Province was claimed by *France*, and  
 “ the Security of the whole of it against her Incroachments will in a  
 “ great Measure finally depend upon the Issue of that Dispute, I de-  
 “ termin’d not to decline the Opportunity which was offered me of  
 “ exerting my best Endeavours in His Majesty’s Service, upon this  
 “ Occasion ; in which the Province was so deeply concerned : — Also,  
 “ as Providence had favoured my Endeavours through the whole  
 “ Course of the late War, for saving *Nova-Scotia* from falling into the  
 “ Hands of the *French*, I thought it my Duty to follow the Call, which  
 “ it seem’d to give me for being concern’d in asserting the just Limits  
 “ of that Country likewise : Upon the Settlement of which, not only  
 “ the Preservation of your Fishery, but the Security of the greatest  
 “ Part of your Navigation, in Time of War with *France*, will very  
 “ much depend.

Governour’s  
SPEECH at  
the opening  
of the Court.

“ What the Limits are, which have been claimed on the Part of  
 “ His Majesty, in this Dispute, as the true ancient Boundaries of the  
 “ two fore-mentioned Provinces, you have been inform’d of before my  
 “ Arrival, in my publick Letter to the Secretary, dated 24th of *June*  
 “ 1752— And I think myself well warranted to say, that the Justice  
 “ of this Claim hath been fully maintained, in the Course of the Ne-  
 “ gociation, by the clearest Proofs, and by Vouchers of the most  
 “ authentick and highest Nature ; some of them extracted from ancient  
 “ *French* Histories and Records of State, produced by the *French*  
 “ Commissaries themselves, in order to support their own Pretensions.

“ As Opportunities offer’d, *Gentlemen*, during my Residence in *Eng-*  
 “ *land*, I us’d my best Endeavours for serving the Interests of the Pro-  
 “ vince in general ; and upon my Petition to his Majesty in Council  
 “ on your Behalf, I have obtain’d a Mark of his Royal Favour to it,  
 “ in a Grant of a new Supply of Ordnance Stores in lieu of those which  
 “ were taken out of Castle *William* for the Service of the Expedition  
 “ against *Cape-Breton* ; the Estimate of which, with the Copies of  
 “ the Petition, and the several Orders made upon it, shall be laid be-  
 “ fore you by the Secretary.

“ The Arrival of them may be daily expected, upon which they  
 “ will be delivered at Castle *William* free of all Charges, except the  
 “ Fees of Office and usual Perquisites, which to prevent any Delay, I  
 “ paid before my Departure from *London*.

*Gentlemen,*

“ I am sensible that your Husbandry Affairs make this a busy Sea-  
 “ son to you in the Country ; and am sorry that our first Meeting  
 “ happens at a Time in the least Inconvenient for your Attendance on  
 “ the publick Business ; but as I found upon my Return into the Pro-  
 “ vince, that the General Court stood prorogued to this Day, and that  
 “ some Matters left unfinished at your last Session required as speedy a  
 “ Consideration

“ Consideration as may be, I was indispensibly obliged to call you together now in order to lay them before you.

“ One principal Matter is the unhappy Difference now subsisting between this Government and that of *New-York*, concerning the Boundary Line between them: By a late Letter from his Excellency Governour CLINTON, to Lieutenant-Governour PHIPS, it appears that that Government much resents the seizing of diverse Persons, within the Tract of Land now in Dispute between us, and for Facts there committed, under colour of Warrants issued against them by some of our Magistrates. And it seems probable to me from that Letter, and the Papers accompanying it ( for I am otherwise an entire Stranger to these Affairs, they having been transacted in my Absence ) that if some speedy Remedy is not found to prevent it, this Controversy will produce very bad Effects in both Governments: I would therefore earnestly recommend it to you forthwith to give the Matters represented in the before-mentioned Letter and Papers ( which shall be laid before you ) a due Consideration; and do every Thing, that is fit and reasonable to be done on the Part of this Government, towards procuring an amicable Adjustment of these Differences, and a final Settlement of the Line in Dispute between the two Governments, and for preserving Peace among the Borderers until the Settlement of it can be effected.

“ Another principal Reason of my calling you together is, my finding Letters from the *Penobscott* and *Norridgewalk* Indians, wrote to Lieut. Governour PHIPS, from which Tribes I have since received other Letters, accompanied with a String of Wampum, on the Behalf of the *St. Francois* Indians, in Token of their Friendship; which Letters shall be communicated to you; where you will find that the two first-mentioned Tribes represent, that our Commissioners meeting them so late in the Year, as they did the last, interferes with their Hunting Season, which makes it so inconvenient to them, that but few of them can attend the Interview, and raises Jealousy and Dissatisfaction in those who are absent; wherefore they press very much that the Meeting may be earlier this Year, which I would recommend to you may be as soon as it conveniently can, that the Presents which are to be made, may be as acceptable to them as possible, and best answer the End proposed in distributing of them; and I am the more concern'd that this should be done, as by Accounts brought me from the Eastward, and a most extraordinary Letter which the *French* Jesuit Missionary to the *Penobscott* Tribe hath taken the Liberty to write to me (which the Secretary will likewise shew you) there is good Reason to believe that the *French* are using Artifices to prevent the Measures concerted by this Government for preserving a Disposition in the before-mentioned Indians, to maintain Peace and Friendship with us, from taking Effect.

“ If you agree with me in your Sentiments upon this Point, I must desire you, *Gentlemen of the House of Representatives*, to lose no Time in making Provision for purchasing such Presents as it shall be thought adviseable to distribute this Year among the Indians.

*Gentlemen of the Council and House of Representatives,*

“ I have several other Matters to lay before you; but as the Consideration of them may require a longer Time than you can now spare, without suffering Damage in your Country Affairs, I shall reserve them for your next Meeting in Assembly; and hope you will proceed with Unanimity and Dispatch in that Business which is necessary or proper for you to go thro' in the present Session.

“ If



“ If you have any Thing, *Gentlemen*, in present to propose to me  
 “ on your Part for the Service of the Province, I shall most readily  
 “ enter into the immediate Consideration of it, and give it such At-  
 “ tention as the Nature of it shall require.

*Council-Chamber,*

*September 5. 1753.*

*W. SHIRLEY.*

*Ordered,* That His Excellency's SPEECH be considered to Mor-  
 row Morning at ten o'Clock.

Then the House adjourn'd 'till Nine o'Clock to Morrow Morning.

## Jobis 6. Die Septembris, A. D. 1753.

MR. Speaker communicated a publick Letter from Mr. Agent *Agent Bollon's*  
*Bollan*, dated *Pall-Mall*, May 24th 1753, together with sun- Letter.  
 dry Papers enclos'd, which were read.

The House, agreeable to the Order of the Day, entred into the Con- *Committee on*  
 sideration of His Excellency's SPEECH, as entred Yesterday, together the *Governors*  
 with the Letters and Papers refer'd to therein. And Speech.

*Ordered,* That Mr. *Welles*, Capt. *White*, and Col. *Buckminster*, confi-  
 der that Paragraph in His Excellency's SPEECH, relating to the  
 Eastern Tribes of Indians, and report thereon as soon as may be.

The House taking into Consideration that Part of His Excellency's  
 SPEECH which respects the Western Boundary of this Province ;  
 and esteeming the same of very great Importance early and maturely  
 to be considered,

*Voted,* That a Committee consisting of four of the honourable Board,  
 and five of the House, be appointed by joint Ballot, to take the same  
 under Consideration ; and that the Choice be made as soon as may be.

Sent up for Concurrence by Mr. *James Russell*, Col. *Lawrence*, Mr.  
*James Boudoin*, Mr. *Fletcher*, and Mr. *William Bowdoin*.

On a Motion made and seconded, *Voted,* That the House will not  
 enter into the Consideration of any private Affairs this Session.

A Memorial of *Harrison Gray*, Esq; Treasurer and Receiver- *Treasurer's*  
 General of this Province ; shewing, That since he has been in that Office, Memorial.  
 sundry Collectors & Constables have brought in Quarters Halves and  
 three Quarters of Bills for Taxes : But he observing a Law of this  
 Province Intituled *An Act to prevent the tearing and defacing the Bills of*  
*Credit of this Province &c.* which is still in Force ; that therefore he  
 cannot receive them without an Act or Resolve of this Court : He  
 therefore prays the Consideration of this Court thereon.

Read (together with another Memorial of the said Treasurer, desiring  
 the Direction of this Court respecting a large Sum of Money he has  
 received into the Treasury, which is appropriated for the Redemption  
 of the Government-Securities, payable the 20th of *January* 1754, and  
 for no other Use whatever ; which Notes, altho' the Province are not  
 obliged to redeem until the 20th of *January* next, old Stile ; yet that  
 it would be a saving to the Province to discharge them sooner &c.

T

*Ordered,*

*Ordered*, That these Memorials be committed to Mr. *Welles*, Col. *Otis*, and Col. *Partridge*, to consider and report thereon.

Account of Bonds &c. An Account of fundry Bonds for Province Lands sold ; as also for Excise on Liquors, Tea &c. now in the Treasury, was read, together with the Receipt of Mr. Treasurer *Gray* thereon, and

*Ordered*, That the Secretary be directed to record the said Account and Receipt. Sent up for Concurrence.

His Excellency's Memorial to His Majesty. The Copy of the Memorial of His Excellency to the King's most Excellent Majesty in Council, praying a Supply of Ordnance and Stores for this Province ; also a List of the said Stores : With the Report of the Committee thereon ; as also the Report of the Board of Ordnance, and His Majesty's Order thereon &c. were all read, together with the Paragraph in His Excellency's Speech relating to the same. And

*Voted*, That Mr. Speaker, Col. *Otis*, and Col. *Cotton*, be a Committee to take the said Paragraph into Consideration, and report thereon.

Vote relating to Western Boundary. *Benjamin Lincoln*, Esq; brought down the Vote respecting the Choice of a Committee to consider the State of the Western Boundaries &c. Pass'd in Council, viz. In Council *Sept. 6th 1753*. Read and concur'd with an Amendment, viz. dele—*joint Ballot*—and insert — and *Ordered*, That *Samuel Watts*, *John Chandler*, *Andrew Oliver*, and *Thomas Hutchinson*, Esqrs; be of the Committee on the Part of the Board for the Affair within mentioned. Sent down for Concurrence.

Read and concur'd, and Mr. Speaker, Col. *Partridge*, Col. *Otis*, Mr. *Welles*, and Col. *Winslow*, are joined in the Affair.

### *Post Meridiem.*

Order relating to the County of Taunton Treasurer. [County] *Whereas at the Court of General Sessions of the Peace held at Taunton for the County of Bristol on the second Tuesday of June last, being the Court when the Votes for a County Treasurer for said County for the current Year ought by Law to have been opened and sorted, but by an Omission of the said Court, the said Votes were not opened and sorted ; so that the said County of Bristol are now destitute of a Treasurer, and must remain so the remaining Part of the present Year, without the Aid of this Court.*

Therefore,

*Ordered*, That the next Court of General Sessions of the Peace to be holden at *Taunton* for the County of *Bristol* on the second Tuesday of *Sept.* Current, open and sort the said Votes for a County Treasurer ; and that the Person that shall appear (on sorting said Votes) to be chosen Treasurer, shall to all Intents and Purposes be deemed and held the Treasurer for said County, for the current Year, as tho' the Votes afore-said had been opened and sorted at the said Court of General Sessions of the Peace held there in *June* last, he taking the Oath to said Office, as by Law required. Sent up for Concurrence.

Treasurer directed. The Committee appointed upon the Memorial of Mr. Treasurer *Gray*, reported thereon.

Read and accepted, and thereupon *Ordered*, That the Treasurer be directed to insert in the publick Prints, the Sum of Money he is or may be possess'd of from Time to Time, that so the Possessors of the Government-Securities, payable the 20th of *Jannary* next, may receive the Money for them, if they see Cause.

Sent up for Concurrence.

*Voted,*

*Voted*, That ten Dollars be paid out of the publick Treasury to Ma- Grant to Ma-  
 jor *Ephraim Williams*, to discharge so much he paid to *Hourick*, Chief of jor *Williams*.  
 the Mohawks, for his Expences at *Johannes Valantines* at *Kenderbook*,  
 and about one Hundred other Mohawks, with him when they came to  
*Stockbridge* upon the Invitation of this Government.

Sent up for Concurrence.

*Jabez Fox*, Esq; brought down the following Vote of Council, viz.

In Council *Sept. 6th 1753.*

*Ordered*, That the Province Treasurer pursue the Steps of the Law, Treasurer di-  
 for recovering all such Sums of Money that are now due; and of all o- rected relating  
 ther Sums of Money as they shall become due from the several Farmers to Excise &c.  
 of Excise within the Province; and that he likewise put in Suit the re-  
 spective Bonds given by the Collectors of Excise on Coaches Chaises &c.  
 who shall not render their Accounts to him of the several Sums respec-  
 tively collected by them, and pay in the same, on or before the first  
 Day of *November* next. Sent down for Concurrence.

Read and concur'd with the first Paragraph; the last Paragraph  
 nonconcur'd, and *Ordered*, That Mr. *Welles*, Capt *Joseph Williams*, and  
 Col. *Richards*, be a Committee in the Recess of the Court, to take the  
 State of the Accompts of the Collectors of Excise on Coaches Chaises,  
 &c. under Consideration, and report at their next Session, what they  
 judge proper for this Court to do thereon.

The Committee appointed upon the Accompt of the Treasurer for the Report on  
 County of *Suffolk*, reported thereon. *Suffolk County*

Read and accepted, and *Ordered*, That the Accompt be allowed, and Treasurer's  
 that the Ballance thereof being *three Shillings and eleven Pence*, the said Accounts.  
 County is further accountable to said Treasurer for.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Veneris 7. Die Septembris, A. D. 1753.

THE Committee appointed to examine the Accompt of the Treasu- Report on  
 rer for the County of *Essex*, reported thereon according to Order. *Essex County*

Read and accepted, and *Ordered*, That the Accompt be allowed, Treasurer's  
 and that the Ballance thereof, being *forty one Pounds seven Shillings and* Accounts.  
*eleven Pence*, the said Treasurer is further accountable to said County for.

Sent up for Concurrence.

On a Motion made and seconded, *Voted*, That the Sum of *five Hun-* Grants for  
*dred Pounds* be applied for purchasing Presents to be made this Year to purchasing  
 the Indian Tribes in the Eastern Parts of the Province; and that said Presents for  
 Sum be taken out of the Effects of the Truck-Trade in the Commissary- the Indians.  
 General's Hands.

Sent up for Concurrence.

*Voted*, That His Excellency the Captain-General be desired (if he His Excellen-  
 cannot attend himself) to appoint Commissioners to meet with the several cy desir'd to  
 Tribes of Indians in such Place as he judges proper, as soon as may be, appoint Com-  
 in order to their distributing the annual Presents to the said Indians in missioners.  
 the most advantageous Manner.

Sent up for Concurrence.

*Voted,*



**Grant for suitable Provision &c. for Commissioners.** *Voted*, That a Sum not exceeding *two Hundred Pounds* be allowed out of the Indian Truck Trade in the Commissary-General's Hands, in order for the making suitable Provision &c. for the Commissioners that may be appointed by His Excellency to repair to the Eastern Parts of the Province to meet with the Tribes of Indians there; the said Committee to be accountable. Sent up for Concurrence.

**Memorial of Ipswich South Parish bro't down.** *Joseph Pyncheon, Esq;* brought down the Memorial of the Committee of the South Parish in *Ipswich*. Pass'd in Council, viz. In Council *Sept. 6th 1753*. Read and *Ordered*, That the Polls and Estates contained in the List herewith presented, be and they are hereby declared to belong to the South Parish in *Ipswich* for the future; and also all the Lands within the said Parish owned by People living in *Boxford, Newbury, Rowley, and Salem*, (except *Cross* and *March's* Lands) together with the Lands of *John West*, deceased; and that all Proceedings in the said Parish heretofore shall be deemed and held valid; and they are hereby ratified and confirmed to all Intents and Purposes whatsoever. Sent down for Concurrence. Read and concur'd.

**Petition of Sunderland North Parish.** A Petition of the Inhabitants of the North-Parish in *Sunderland*, praying a Tax may be laid on the unimproved Lands there, in order for defraying the Charges of building a Meeting House, and supporting the Gospel there.

Read and *Ordered*, That the Petitioners serve the Town of *Sunderland* with a Copy of this Petition, by inserting the same in the *Evening-Post*, that so they shew Cause, if any they have, on the first Tuesday of the next Sitting of this Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

**Petition of Tho. Flucker.** A Petition of *Thomas Flucker* of *Boston*, Merchant, praying Liberty for another Trial in a Cause between him and *Capt. Joshua Loring* of said *Boston*, the Default mentioned notwithstanding.

Read and *Ordered*, That the Petitioner serve *Capt. Joshua Loring*, with a Copy of this Petition, that so he shew Cause, if any he hath, on the first Friday of the next Sitting of this Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

A Message from His Excellency the Governour by Mr. Secretary, viz.

Gentlemen of the House of Representatives,

**Governour's Message relating to Dr. Douglas's Plans.** *Cornelius Douglas, Nephew of Dr. William Douglas, deceas'd, has laid before me and the Council, for our Revisal, a Plan or Map of the four Governments of New-England, in order to the publishing of it to greater Advantage; but the Matter being of such a publick Nature, I would recommend it to you, to join with the Council in committing the Inspection of the said Map to such Gentlemen as are best acquainted with the Situation of the several Parts of the Country described therein, and are best qualified to judge of the Exactness or Faultiness thereof, and that they make report to this Court thereon.* W. SHIRLEY.

Read and *Ordered*, That *Mr. Welles, Capt. Fry, Capt. Livermore, Col. Partridge, Capt. Wilder, Col. Otis, Capt. White, Capt. Prebble, and Mr. Folger*, with such as the honourable Board shall appoint, be a Committee carefully to examine the Plan refer'd to, and report thereon to this Court. Sent up for Concurrence.

A Petition of the Heirs of the Estate of *Phineas Asbley*, late of *Westfield*, deceased, praying the said Estate may be sold for their mutual Advantage, for the Reasons mentioned. Petition of  
*Phin. Asbley's*  
Heirs.

Read and committed to Mr. *Moseley*, Col. *Partridge*, and Col. *Lawrence*, to consider and report thereon.

A Petition of *John Leech* and sundry others of *Salem*, praying to be annexed to the Town of *Beverly*, for the Reasons mentioned. Petition of  
*John Leech,*  
&c.

Read, and it appearing that the Towns of *Salem* and *Beverly*, have consented to the Prayer thereof :

*Ordered*, That the Petitioners have Liberty to bring in a Bill for the Purpose mentioned.

A Petition of *Samuel Robinson*, as entred in *June* last, and refer'd. Petition of  
*Sam. Robinson.*  
Read again, and *Ordered*, That the Petition lie an the Table.

A Petition of *Anne Halsey* of *Boston*, praying Liberty to keep a House of Entertainment at the House she now inhabits (tho' she cannot obtain the Recommendation of the Select-Men of said Town) for the Reasons mentioned. A Petition of  
*Anne Halsey.*

Read and *Ordered*, That this Petition be dismiss'd.

A Petition of *Michael Hodge*, and sundry others, Inhabitants of *Salisbury*, praying to be annexed to the Town of *Newbury*, there to do Duty and receive Priviledge, for the Reasons mentioned. Petition of  
*Michael Hodge*  
&c.

Read and *Ordered*, That the Petitioners serve the Clerk of the Town of *Salisbury* with a Copy of this Petition, that so they shew Cause (if any they have) on the first Tuesday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

*Whereas by Law the Court of General Sessions of the Peace and Inferiour Court of Common Pleas for the County of Bristol, was to have been holden on the second Tuesday of September Instant, and many concerned in said Courts are Members of the General Court, which its probable will be Sitting at that Time :* Adjournment  
of Bristol  
Court.

Therefore,

*Ordered*, That the said Courts of General Sessions of the Peace and Inferiour Court of Common Pleas &c. be and they hereby are Adjourned to the last Tuesday of *October* next ; and all Officers and others concerned in said Courts are to conform themselves accordingly : And all Procceses and other Matters and Things depending in said Courts and which are by Law to be heard tried and proceeded upon at said Term, shall be heard, tried and proceeded upon on the last Tuesday of *October* next ; and the Justices of said Courts are hereby required to conform themselves accordingly.

Sent up for Concurrence.

### *Post Meridiem.*

A Petition of Mr. *Elijah Porter* of *Topsfield*, praying Liberty to retail strong Liquors in said Town, the Time for granting Licences being elapsed notwithstanding. Petition of  
Mr. *Elijah*  
*Porter.*

Read and *Ordered*, That the Justices of General Sessions of the Peace for the County of *Essex*, be allowed to grant the Petitioner a Licence (if they see Cause) the remaining Part of the Year, he first obtaining the Approbation of the Select-Men of *Topsfield* for that Service, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Petition of Inhabitants of *Stoughton*. A Petition of sundry Inhabitants of *Stoughton*, praying to be annexed to the Town of *Norton*, there to do Duty and receive Priviledge, for the Reasons mentioned.

Read and committed to Capt. *Joseph Williams*, Mr. *Nathanael Russell* and Capt. *Whitney*, to consider and report thereon.

Petition of *Thomas Pike*. A Petition of *Thomas Pike* of *Newbury*, shewing he served in two Capacities in the Expedition at *Cape-Breton*, yet received Pay but for one, he therefore prays for that Allowance.

Read and Ordered, That this Petition be dismis'd.

Petition of *Wenham*. A Petition of the Select-Men of the Town of *Wenham*, praying the Fine impos'd on them for not sending a Representative the present Year may be remitted, for the Reasons mentioned.

Read and Ordered, That this Petition be dismis'd.

Memorial of *Benj. Mitchel &c.* A Memorial of *Benjamin Mitchel* and *Lazarus Noble*, shewing, that under the Direction of this Court, they proceeded to *Montreal*, in order for the Redemption of their Children, taken in Captivity by the Indians. That at their Arrival there, they waited upon the Governour, who at first kindly received them, and encourag'd to hope for the Redemption of them; but to their Surprize, they were ordered the next Morning by the Town Major to depart the Town, and return to *New-England*, or they should be immediately imprisond, without being permitted to see the Governour again.

They further represent that they have exceeded the Allowance granted them by this Court, the Sum of *eight Pounds nineteen Shillings and nine Pence half Penny*; which they pray may be granted them.

Read and Ordered, That the Prayer of the Petition be granted, and that the Petitioners be allowed the said Sum out of the publick Treasury accordingly. Sent up for Concurrence.

[*Otis*] Petition of Inhabitants of *Kennebeck*. *John Otis*, Esq; brought down the Petition of sundry Inhabitants of *Kennebeck-River*, as entred the 12th of *June* last and refer'd. Pass'd in Council, viz. In Council *September 7th 1753*. Read again, with a Copy of the Vote of the Inhabitants of *George Town*, at a Meeting held the 10th of *July* last; and it appearing that they had no Objection to make thereunto; Ordered, That the Petitioners and their Lands, as bounded in the Petition, be set off as a seperate and distinct Parish or Precinct, and that the Inhabitants enjoy and be vested with the Powers and Priviledges of other Precincts in this Province.

Sent down for Concurrence.

Read and concur'd, and Capt. *Prebble* is directed to bring in a Bill for the Purpose mentioned.

Petition of Inhabitants of *Brookfield*. The Petition of five Inhabitants of *Brookfield*, as entred the 7th and 12th of *June* last, and refer'd. Pass'd in Council, viz. In Council *June 8th 1753*. Read and Ordered, That the Prayer of the Petition be granted. Sent down for Concurrence.

Read and nonconcur'd, and Ordered, That Capt. *Elijah Williams* Mr. *William Bowdoin*, and Mr. *James Russell*, consider the Petition and Papers, and report thereon.

Whereas sundry Persons in the County of *Essex*, who had obtained the Approbation of the Select-Men of the respective Towns to which they belong, to be Innholders and Retailers of spirituous Liquors; and likewise licensed by



by the Justices of the General Sessions of the Peace for said County, at the Time prescribed by Law for that Purpose; have inadvertently elapsed the Time of Recognizing :

Therefore

Ordered, That the Justices of said Sessions be and hereby are impow-  
ered to take their Recognizances at their next Sessions, within and for  
said County, the Time therefor being elapsed notwithstanding.

Sent up for Concurrence.

A Bill Intituled *An Act more effectually to establish the Rates and Currency  
of Gold within this Government.* Pass'd in Council, viz. In Council  
September 7th 1753. Read a first and second Time, and pass'd to be  
engross'd.

Sent down for Concurrence.

Read a first Time.

The Petition of sundry Inhabitants of the Southwesterly Part of the second Parish in *Stoughton*, praying to be set off from said Parish to the North Parish in *Norton*, there to do Duty and receive Priviledge, for the Reasons mentioned.

Petition of  
Inhabitants of  
*Stoughton.*

Read and Ordered, That the Petitioners serve the Clerk of the second Parish in *Stoughton* with a Copy of this Petition, that so they shew Cause, if any they have, on the second Friday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Sabbati 8. Die Septembris, A. D. 1753.

*George Leonard*, Esq; brought down the Petition of *John Mackenny* and others, as entred the 14th of *June* last, and refer'd. Pass'd in Council, viz. In Council *Sept.* 7th 1753. Read again, with the Answer of *Elizabeth Deering*, and the Matter being fully considered, Ordered, That this Petition be dismiss'd. Sent down for Concurrence.

Petition of  
*John Macken-*  
ney brought  
down.

Read and nonconcur'd, For as much as the Day is not yet arriv'd in which this Petition and Answer is to be considered.

A Petition of *John Steele*, Esq; of *Boston*, shewing, that in the Year 1742, he, with *Mary* his Wife, late Widow of *Temple Nelson*, exhibited an Inventory of the Estate of said *Temple*; and the said *Mary* took Administration thereon; but it so happened that the Inventory was unhappily lost, some Years since, and not recorded; he therefore prays the Judge of Probate may be enabled to receive a Copy of said Inventory, which he is ready to make Oath to the Truth of, &c. Pass'd in Council, viz. In Council *Sept.* 7th 1753. Read and Ordered, That *John Quincy*, Esq; with such as the honourable House shall join, be a Committee to consider this Petition, and make report what may be proper for this Court to do thereon. Sent down for Concurrence.

Petition of  
*John Steele,*  
Esq;

Read and concur'd, and Mr. *Gibbs* of *Newton*, and Col. *Bradford*, are joined in the Affair.

A Petition of *Eliphaz Weston*, of *Duxborough*, Guardian to *Mary* and *Orphan Patterson*, Minors, Children of *Daniel Patterson*, deceased, praying Liberty to sell Part of the Estate of the said Deceased, to pay his just Debts &c.

Petition of  
*Eliphaz Weston*

Read and committed to Col. *Partridge*, Col. *Lawrence*, and Capt. *Brigham*, to consider and report thereon.

Memorial of  
*Robert Auch-*  
*muty.*

A Memorial of *Robert Auchmuty* of *Boston*, representing some Difficulties in the Sale of the House and Land belonging to *John Overing*, Esq; deceased; and praying the Direction of this Court thereon.

Read and committed to Col. *Lawrence*, Mr. *William Bowdoin*, and Col. *Bradford*, to consider and report thereon.

Petition of  
Inhabitants of  
*Fall Town.*

A Petition of a Number of the Proprietors of *Fall-Town*, praying to raise Taxes on all the Rights of Land there, for the Purposes mentioned.

Read and committed to Col. *Bradford*, Col. *Buckminster*, and Mr. *Nathanael Russell*, to consider and report thereon.

Petition of  
*Thomas Gibbs.*

A Petition of *Thomas Gibbs* of *Quabbin*, and others, praying a Tax may be put on all the Lands in *Quabbin*, for the Reasons mentioned.

Read and committed to Col. *Buckminster*, Capt. *Elijah Williams*, and Capt. *Marcy*, to consider and report thereon.

Petition of  
*Edw. Smith*  
bro't down.

*Joseph Pynchon*, Esq; brought down the Petition of *Edward Smith*, and *Theodore Man* of *Wrentham*, as entered the 8th of *June* last, and refer'd. Pass'd in Council, viz. In Council *Sept.* 8th 1753. Read and Ordered, That the further Consideration of this Petition be referred to the first Friday of the next Sitting of this Court.

Sent down for Concurrence. Read and concur'd.

A Bill Intituled *An Act for setting off the Inhabitants and Estates of the Proprietors of that Part of the Precinct of Salem and Beverly (so called) which is Part of Salem, to the Town of Beverly.* Read a first Time

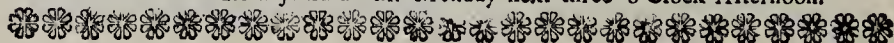
Petition of  
Mr. *Timothy*  
*Walker* and  
*Benj. Rolfe*,  
Esq;

A Petition of Mr. *Timothy Walker*, and *Benjamin Rolfe*, Esq; in Behalf of themselves and the other Proprietors of *Rumford*, shewing, That notwithstanding His Majesty's most gracious Declaration, previous to his granting his late Royal Commission for settling the Boundaries between this Province and that of *New Hampshire*, viz. That private Property should not be affected thereby; yet the Petitioners have for more than two Years past been continually harrassed by many Law Suits, wherein they are called upon by the Proprietors of *Bow* to defend their Title to the Lands which they regularly purchased of this Government, and in Consequence thereof apprehend they have the clearest and most undoubted Right: That their Trials in *New-Hampshire* are under the greatest Disadvantage on their Side, not only by Reason of the general Prejudice prevailing in the Province against all *Massachusetts* Claims, but also by Reason that the Governour and Council are Proprietors of said *Bow*, that not only all Civil Officers are appointed by the said Governour and Council, but also the Juries are impanel'd by one of their Officers; so that they have on Trial lost a Tract of Land, which they have been at great Cost and Charge to clear &c. They therefore pray this Court will grant a Sum of Money to enable them to forward Home and effectually to prosecute a Complaint to His Majesty in Council, that so they may have Justice done them &c.

Read and Ordered, That Mr. Speaker, Col. *Otis*, and Col. *Winflow*, with such as the honourable Board shall appoint, be a Committee to take this Petition under Consideration, and report what they judge proper for this Court to do thereon. Sent up for Concurrence.

A Bill Intituled *An Act in Addition to an Act for the Destruction of Wolves &c.* Read a first Time.

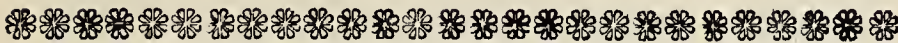
Then the House adjourn'd 'till Monday next three o'Clock Afternoon.





# VOTES

Of the House of Representatives.



Lunæ 10. Die Septembris, A. D. 1753.

THE Precept directed to the Town of *Edgartown*, returned, *Edgartown*  
and it appearing that *Enoch Coffin*, Esq; was chosen to *Precept re-*  
represent the said Town; who made his Appearance in *turned.*  
the House :

*Ordered*, That Mr. *Folger* attend him to the Gentlemen  
appointed by *Dedimus* to administer the Oaths &c. Who returned,  
he had taken the same; and then Mr. *Coffin* took his Seat in the House.

Mr. *Coffin* making his Excuse for his not attending in the House 'till  
this Time; the same was accepted.

A Bill Intituled *An Act for setting off the Inhabitants and Estates of the*  
*Proprietors of that Part of the Precinct of Salem and Beverly (so called)*  
*which is Part of Salem to the Town of Beverly.*

Read a second and third Time, and pass'd to be engross'd.

A Petition of *Robert Hooper* of *Marblehead*, Esq; praying that about *Petition of*  
thirty Acres of his Farm, which is now cut off by the Line of *Danvers*, *Robert Hooper,*  
may be annexed to *Beverly*. *Esq;*

Read and *Ordered*, That the Petitioner serve the Clerk of the District  
of *Danvers*, with a Copy of the Petition, that he shew Cause, if any  
he have, on the first Friday of the next Sitting of the Court, why the  
Prayer thereof should not be granted. Sent up for Concurrence.

A Petition of the Committee of the South Parish in *Malden*, praying *Petition of*  
to be impowred to chuse a Collector &c. *South Parish*  
*in Malden.*

Read and committed to Mr. *Buckman*, Col. *Winslow*, and Capt. *Sole*,  
to consider and report thereon.

[*Bucknam*]

A Bill Intituled *An Act for erecting a Place called George-Town in the*  
*County of York into a Precinct.*

Read a first second and third Time, and pass'd to be engross'd.



Report on  
Petition of  
*Hoosuck*.

The Committee upon the Petition of the Proprietors of the West Township at *Hoosuck*, reported according to Order.

Which was read, and thereupon *Voted*, That *William Williams, Esq*; one of the Justices of the Peace for the County of *Hampshire*, issue his Warrant for calling a Meeting of the Proprietors of the West Township at *Hoosuck*, so called, directed to one of the principal Proprietors of said Township, requiring him to set up a Notification in some publick Place in said Township, setting forth the Time Place and Occasion of said Meeting, fourteen Days beforehand, which Meeting shall be holden in said Township; and such of the Proprietors as shall be present at said Meeting, are hereby authorized and impowred by a major Vote to determine upon a Division of All or Part of the Lands in said Township not already allotted, and also to chuse a Committee or Committees to lay out the same, and also to raise Moneys to defrey the Charges that may arise by Means of laying out said Lands, and also for clearing High-Ways; and also to chuse a Proprietors Clerk, Treasurer, Assessors and Collectors; and also to agree and determine upon a Method of calling Meetings of said Proprietors for the future.

Sent up for Concurrence.

Committee  
for telling up  
and burning  
Province Bills  
&c.

*Voted*, That Mr. Speaker, Mr. *Welles*, Mr. *James Russell*, Mr. *James Bowdoin*, and Mr. *Fletcher*, with such as shall be joined by the honourable Board, be a Committee in the Recess of the Court, to tell up the Province Bills and Government Securities in the Treasurer's Hands, and to burn the same.

Sent up for Concurrence.

Report on  
Petition of  
*George Herrington*.

The Committee appointed on the Petition of *George Herrington* and others, reported according to Order.

Read and thereupon *Voted*, That the Prayer of the Petition be so far granted, as that the Petitioners and that Part of their Estates mentioned in the Petition, be annexed to the Parish in the District of *Spencer*, and there to do Duty and receive Parish Priviledges, during the Court's Pleasure.

Sent up for Concurrence.

Petition of  
*Daniel Job*.

A Petition of *Daniel Job*, praying for an Allowance, for the Reasons mentioned.

Read and committed to Col. *Otis*, Capt. *Chandler*, and Mr. *Moseley*, to consider and report thereon.

Petition of  
*John Steel, Esq*  
bro't down.

*John Wheelwright, Esq*; brought down the Petition of *John Steel* of *Boston, Esq*; Pass'd in Council, viz. In Council September 10. 1753. *Ordered*, That the Judge of Probates for the County of *Suffolk*, be and hereby is impowred and directed to receive of the Petitioner the Inventory within refer'd to, taking his Oath that it is a true Copy of the Inventory formerly exhibited to *Josiah Willard, Esq*; then Judge of Probates for the said County, and that the Register of Wills be also directed to Record the same in the Registry of the Probate Office.

Sent down for Concurrence. Read and concur'd.

Petition of In-  
habitants of  
*New-Casco*.

A Petition of the Inhabitants of *New-Casco*, praying to be set off a Parish by certain Bounds therein mentioned.

Read and *Ordered*, That the Petitioners serve the Clerk of the first Parish in *Falmouth*, with a Copy of the Petition, that they shew Cause, if any they have, on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Bill Intituled *An Act for encouraging the killing of Wolves, Bears, Wild-Cats and Catamounts within this Province.*

Read a second and third Time and pass'd to be engross'd.  
Sent up for Concurrence.

The Committee appointed on the Petition of the South Parish in *Malden*, reported.

Report on  
Petition of  
South Parish  
in *Malden*.

Read and accepted, and thereupon *Voted*, That the aforefaid Parish be and hereby are impowred to call a Meeting in order to chuse a Collector for the present Year, which Choice shall be held good and valid to all Intents and Purposes, the Time for such Choice being elapsed notwithstanding.

Sent up for Concurrence.

*Ordered*, That Capt. *Ayres* bring in a Bill giving the like Power to Parishes, as Towns by Law have, to chuse Officers other than at annual Meetings.

Then the House adjourn'd 'till to Morrow Morning Nine o'Clock.

## Martis 11. Die Septembris, A. D. 1753.

A Petition of *Aaron Plummer*, praying that he may be allowed a Re-hearing of his Cause with *William Wentworth &c.*

Petition of  
*Aa. Plummer.*

Read and *Ordered*, That the Petitioner serve the adverse Party with a Copy of this Petition, that he shew Cause, if any he have, on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted, and that the Execution mentioned be stayed in the mean Time, provided the Petitioner give sufficient Security to the Sheriff of the County of *York*, for the Sum that may be found finally due from the Petitioner to the said *William Wentworth*.

Sent up for Concurrence.

The Committee appointed on the Petition of *Daniel Job*, reported according to Order.

Report on  
Petition of  
*Daniel Job.*

Read and accepted, and thereupon *Voted*, That the Sum of *three Pounds* be allowed the Petitioner out of the Province Treasury for the Time past, and that for the future he be allowed the Sum of *forty Shillings* per Annum, to be paid into the Hands of the Guardians of the Indians in the West Part of the County of *Barnstable*, for the Petitioner's Use, during the Court's Pleasure.

Sent up for Concurrence.

The Petition of Capt. *Moses Marcy*, Agent for the Town of *Sturbridge*, read again, together with the Answer of *Henry Fisk* and *Jonathan Perry*. Read and committed to Col. *Otis*, Col. *Bradford*, and Mr. *Welles*, to consider and report thereon.

Capt. *Marcy's*  
Petition read  
again.

The Committee appointed to prepare a Message to His Excellency the Governour, respecting the Redemption of Captives &c. reported they had agreed upon a Message to His Excellency; which was read, and laid upon the Table: And then

Report of a  
Message to  
His Excellen-  
cy.

*Voted*, That the following Message be sent to His Excellency the Governour, viz.

May

Message to his  
Excellency.

*May it please your Excellency,*

IT having been represented to the General Court in a Memorial from *Benjamin Mitchel* and *Lazarus Noble*, that the said Memorialists had been to *Montreal*, in Search after three Children of their's, who were taken Captives by the Indians in *September 1751*, at *Swan Island* and elsewhere ; and that they were received by the Governour there with some Shew of Friendship, who gave them his Word that their Children should be released to them the next Day : But instead of conforming thereto, he sent expresse Orders early the next Morning, that they should depart for *New-England* immediately : Accordingly, intimidated by that cruel Threat, they departed without their Children, and are lately returned from thence.

This Conduct of the French Governour is not only against the Laws of Nature, and contrary to the Treaties of Peace subsisting between the two Nations, but a Contempt of this Government.

It is against the Laws of Nature, as he forcibly detains the said Children from their Parents, regardless of the warm Affections which such a Relation mutually inspires ; and unreasonably deprives those of their Liberty, who by Nature have a Right thereto.

It is contrary to the Treaties of Peace subsisting between the two Nations, which provide that all Prisoners shall be mutually restored. And

It is a Contempt of this Government, as the Memorialists went under the Patronage thereof, and with Letters from our then Commander in Chief.

Such Conduct, no People, who have felt what Liberty and Freedom mean, and are capable of resenting Injuries, can tamely submit to ; and such, this People under the Conduct of your Excellency, will never submit to.

This House therefore requests of your Excellency, that your Excellency would write to the aforesaid French Governour on this Head ; and in such Terms, as your Regard to the Liberties of Mankind, and Abhorrence of all Infringements thereupon, shall dictate.

This House also requests of your Excellency, that your Excellency would give it in Charge to those whom you may appoint Commissioners for the approaching Interview with the said Indians, that they may Remonstrate to them the Injustice and Baseness of their Conduct, in taking away and detaining the said Children, contrary to the Treaties of Friendship subsisting between us, and their repeated Promises to restore said Children ; and that the Commissioners insist on their performing what they have so long, and thus repeatedly promised. And

Whereas the said Indians at the last Interview, expresse'd an Uneasiness about some intended Settlements up *Kennebeck-River*, above *Richmond-Fort* ; to remove which, the Commissioners then promised them to examine into that Affair : In Consequence of which, a Committee of both Houses at the Session in *April* last, was appointed to consider the Complaints of the Eastern Indians, touching the English Claims and Settlements on *Kennebeck-River* above *Richmond-Fort* ; who having notified the Claimants, and examined the Indian Deeds and other Evidence of Titles which they produced, reported,

“ That by the Deeds produced under the Hands of the Sachems of that Country in the Years 1648 and 1653, and others about those Times, the Indians sold to the English, not only the Lands below, but also the Land above *Richmond-Fort* all along the River *Kennebeck*.

That Settlements were early made by the English, many Miles above *Richmond-Fort*, and the Settlements continued for a considerable Time.

That



That the Indians in their Treaties with the English in 1693, in 1713, and in 1717 agreed, That the English should quietly and peaceably enjoy all their Rights of Land, and former Settlements and Possessions in the Eastern Parts of this Province, and that the English should in no Ways be molested or disturbed therein : And that Capt. *Lithgow*, and the other commanding Officers in those Parts, be directed to use their best Endeavours to keep the Indians quiet, until the Commissioners from this Government shall meet them in the Fall of the Year ; and to let them know that such Commissioners will then lay before them the English Claims to those Lands, and endeavour in a friendly Manner to accommodate the Matter with them."

This House therefore prays your Excellency to give your Commissioners Instruction to lay this Matter before said Indians at the approaching Interview, that it may be accommodated in a friendly Manner with them.

*Voted*, That Col. *Winslow*, Capt. *Candler*, Capt. *Fry*, Capt. *Williams*, and Mr. *Hall*, be a Committee to wait on His Excellency the Captain-General with the above Message.

A Bill Intituled *An Act more effectually to establish the Rate and Currency of Gold within this Government.* Read a second Time.

And after a large Debate had thereon, re-committed to make the proposed Amendments.

*Voted*, That Col. *Winslow*, and Col. *Bradford*, be added to the Committee on the Petition of *Eliphaz Weston*.

A Petition of *Margaret Giddinge*, Administratrix to *Job Giddinge*, late of *Ipswich*, deceased, praying Liberty to make Sale of certain Lands mentioned in the Petition. Petition of *Margaret Giddinge*.

Read and *Voted*, That the Prayer of the Petition be granted, and that the said *Margaret Giddinge*, in her Capacity of Administratrix, be and hereby is impowred to give as good and sufficient a Deed of Conveyance of the Land mentioned in the Petition, to the said *William Goodhue*, as *Job Giddinge*, the Husband of the said *Margaret*, who is deceased, might or could have done, were he now living, she giving Caution to the Judge of Probate for the County of *Essex*, that the Money arising by the said Conveyance be secured for the Benefit of the Heirs of the said *Job Giddinge*. Sent up for Concurrence.

### *Post Meridiem.*

A Petition of the Proprietors of the Meeting-House in *Salem*, where the Rev. Mr. *Dudley Leavitt* officiates, praying they may be allowed and impowred to raise Taxes upon the Pews in said House &c. Petition of Inhabitants of *Salem*.

Read and committed to Mr. *Gibbs*, Capt. *Herrick*, and Mr. *Greenleaf*, to prepare a Bill for that Purpose.

A Bill Intituled *An Act for ascertaining the Descent of Real Estates within this Province.*

Read and referred to the next Sitting of the Court.

*John Hill*, Esq; brought down the Report of the Committee appointed the 6th Currant, to consider of the Western Boundary. Pass'd in Council, viz. In Council *September 11. 1753.* Read and concur'd. Report on Western Boundary.

A Message to His Excellency accompanying the said Report. Pass'd in Council, viz. In Council Sept. 11th 1753. Read and concur'd.

Which Message is as follows,

*May it please your Excellency,*

Message to  
His Excellen-  
cy relating to  
the Western  
Boundary &c.

The two Houses have carefully considered the Letter from His Excellency Governour CLINTON to Lieut. Governour PHIPS, of July 28th last, which your Excellency was pleased to lay before us, together with the Report of a Committee of His Majesty's Council at *New-York*, as also an Act of the General Assembly of *New-York*, empowering Commissioners to make Proposals for amicably settling the Controversy concerning the Line between this Government and that.

On this Affair, we beg Leave to observe to your Excellency, that the present Warmth and Disorders arose upon, or at least quickly after, the Petition of some Persons who had encroach'd on this Province's ungranted Lands West of *Sheffield*, that the General Court of this Province would sell or dispose of, to them, the Lands they thus possess'd: Not long after this, a Number of Persons in the Employ of *Robert Livingston*, Jun. Esq; burnt down the Dwelling House of *George Robinson*, one of these Petitioners, and Mr. *Livingston* caused his Body to be attached and committed to *Albany* Goal, who was afterwards bailed by Order of this Government.—Upon which, the General Court of this Province. from a sincere Desire of Peace and good Order, and to preserve good Understanding with *New-York* Government, proposed to that Government, the mutual Appointment of Commissioners for settling the Boundary Line between the two Provinces: This *New-York* Government did not agree to, but on the Advice of the Council there, in a magisterial Manner demanded of this Government, what Right they had to the Soil or Jurisdiction West of *Connecticut-River*, suggesting that it was but very lately, they knew we had any Possessions West of that River. — This Proceeding of the Gentlemen of *New-York*, appeared indeed extraordinary, as divers of our ancient and best Towns had been settled West of this River about an Hundred Years, and the Shire Town of *Springfield* near an Hundred and twenty Years.

The Government in *New-York* thus refusing to join in settling the Line, and affecting to appear such great Strangers to our Affairs and Circumstances in those Parts of this Province, the General Court here judged it vain to attempt any Thing by Way of Treaty in the Controversy, and therefore concluded to proceed in the best Manner they could by themselves, and that they might be well informed of all Circumstances, last April, sent a Committee to view the Lands West of *Sheffield*, and *Stockbridge*, and report the exact State of Affairs; which Committee went accordingly, and on the Spot *Robert Livingston*, Esq; aforesaid, agreed with them, and they with him, that all Proceedings should be stopt, 'till further Orders were taken by the two Governments: Notwithstanding which, in July last, Mr. *Livingston*, with above sixty Men armed with Guns Swords and Cutlasses, in a very hostile and riotous Manner enter'd upon Part of said Lands, in the Possession of *Jesiah Loomas*, cut down his Wheat, and carried it away in his Waggon, and destroyed above five Actes of Indian Corn then growing on Lands possess'd by said *Loomas*. Complaint being made of these violent Proceedings to the Authority in the County of *Hampshire*, Warrants were granted, and two of the Rioters apprehended; who enter'd into Bonds for Appearance. Things being thus very much perplex'd, and likely to grow worse, and *New-York* Government still declining to do any Thing, the General Court of this Province in their last Session appointed a Committee to re-  
vair

pair to the Place in Controversy, and dispose of the Land thus encroach'd on, or some Way or other quiet the Persons contending ; which Committee propos'd soon to proceed in said Affair, but have not as yet : And as *New-York* Government have appointed Commissioners, it is thought best to join them, and meet sometime in the Month of *November* next, at *Middleton* in the Colony of *Connecticut*, being a neutral Place, and about Mid way between the Capital of this and that Government. We beg Leave further to observe, that notwithstanding the Lenity of our Authority's Proceedings, and Readiness to take Bond of the two Rioters apprehended, yet *Michael Halenbeck*, a Dutchman, whom they supposed to favour the taking the *Van Dufars*, has been apprehended and closely confined in *Dutchess* County Goal, (it is said to be in a Dungeon) and the most unexceptionable Bail refused.

We would further observe to your Excellency, that we apprehend His Excellency Governour CLINTON, and His Majesty's Council of *New-York*, were not truly informed of the Proceedings of the said *Livingston*, and others, upon said Controverted Land ; which if they had been, we have Reason to think the Proclamation accompanying Governour CLINTON's Letter, had never been issued ; neither would Governour CLINTON have made such a very extraordinary and unprecedented Demand, that the Officers of this Government should be sent to *New-York* for a Trial.

Ordered, That Mr. *Welles*, Mr. *James Bowdoin*, Col. *Winslow*, Capt. *Chandler*, and Mr. *Fletcher*, with such as the honourable Board shall join, be a Committee to wait on His Excellency the Governour with the foregoing Message.

*John Greenleaf*, Esq; brought down the Petition of *Oliver Ellis*. Pals'd in Council, viz. In Council, September 12th 1753. Ordered, That the Petitioner serve the adverse Party *Matthew Hastings*, with a Copy of this Petition, that he shew Cause, if any he hath, on the first Tuesday of the next Sitting of the Court, why the Prayer thereof should not be granted. Petition of  
*Oliver Ellis*  
bro't down.

Sent down for Concurrence.

Read and concur'd with the Amendment, viz. — that the Execution be stayed in the mean Time, provided the said *Ellis* give sufficient Security to the Sheriff of the County of *Suffolk* for such Sums as the said *Matthew Hastings* may finally recover against him.—

Sent up for Concurrence.

*John Wheelwright*, Esq; brought down the Petition of *Michael Bacon*, and others. Pals'd in Council, viz. In Council September 11th 1753. Read again, with the Remonstrance of *David Morse* and others, the Answer of *Ebenezer Felch* and *Moses Fisk*, and other Papers relating to the Affairs of *Natick* ; Ordered, That *John Greenleaf* and *Joseph Pyncheon*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties and consider and report what they judge proper for this Court to do thereon. Petition of  
*Michael Bacon*  
bro't down.

Sent down for Concurrence.  
Read and concur'd, and Mr. *Foster*, Col. *Richards*, and Capt. *Brigbam*, are joined in the Affair.

A Petition of Capt. *George Mory* and others, praying Allowance, for the Reasons mentioned.

Read and committed to Col. *Otis*, Mr. *Sparhawk*, and Capt. *White*, to consider and report thereon.

Then the House adjourn'd till to Morrow Morning Nine o'Clock.

*Mercurii*



## Mercurii 12. Die Septembris, A. D. 1753.

Petition of  
*Jos. Melliken.*

**A** Petition of *Joseph Milliken of Biddeford*, in the County of *York*.  
Read and *Voted*, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *York*, at their next Term, be and hereby are authorized and impowred, if they see fit, to grant a Licence to the Petitioner, to keep a House of publick Entertainment in the Town of *Biddeford*, he obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Petition of  
*Josiah Loomis.*

A Petition of *Josiah Loomis*, praying the Aid and Assistance of the Government in his Controversy in the Law, respecting the Lands West of *Sheffield &c.*

Read and committed to Mr. *Fletcher*, Col. *Bradford*, and Capt. *White*, to consider and report thereon.

Petition of  
*Katharine Sachamus.*

A Petition of *Katharine Sachamus*, praying that her Lands at *Teticut*, which are encroached upon, may be ascertained to her.

Read and *Ordered*, That the Guardians of the *Teticut* Indians, together with Capt. *Samuel White*, run the Line and ascertain the Bounds of said *Katharine's* Land.

Sent up for Concurrence.

A Bill Intituled *An Act to empower the Proprietors of the Meeting-House in the first Parish in Salem, where the Reverend Mr. Dudley Leavitt now officiates, to raise Money to defray the Ministerial and other necessary Charges.*

Read a first second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Petition of  
Select-Men  
of *Middleboro'.*

A Petition of the Select-Men of *Middleborough*, praying the said Town may be impowred to chuse a Constable, for the Reasons mentioned.

Read and *Ordered*, That the Petition be dismiss'd.

Report on  
Petition of  
*Benj. Rolfe, &c.*

*Isaac Royall*, Esq; brought down the Petition of *Benjamin Rolfe*, Esq; and Mr. *Timothy Walker*, with the Report of a Committee of both Houses thereon.

Signed *Samuel Watts*, per Order.

And thereupon *Voted*, That the Sum of *one Hundred Pounds* Sterling be paid out of the publick Treasury to the Petitioners to enable them to prosecute the Affair mentioned in the Petition, they to be accountable.

Sent up for Concurrence.

A Bill Intituled *An Act to appoint Commissioners to examine into the Boundary Line or Lines between this Government and New-York, and to treat with Commissioners appointed by the Colony of New-York respecting the same.*

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Petition of  
*Wm. Ware.*

A Petition of *William Ware*, a Select-Man of the Town of *Digbyton*, praying that a Meeting of the said Town may be ordered for the Choice of Town Officers, for the Reasons mentioned.

Read and *Ordered*, That the Select-Men of the Town of *Digbyton* for the Year 1752, be and hereby are directed and impowred to issue their Warrant, directed to Mr. *Benjamin Jones* of said *Digbyton*, to call a Town-Meeting for the Choice of Town Officers, which should have been chose in the Month of *March* last; and the said *Benjamin Jones* is hereby impowred

powred and required to notify the Inhabitants accordingly ; and the said Town Officers when chosen shall be as much impowred and obliged to all Intents and Purposes, to serve in the said Offices to which they shall be respectively chosen, as tho' they had been chosen in the Month of *March* last.

Sent up for Concurrence.

The Committee appointed to consider the Petition of *Oliver More* and *John Prescot*, reported.

Report on  
Petition of  
*Oliver More*  
&c.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that the Judge of Probate for the County of *Worcester*, be & is hereby impowred to give out his Commission ordering the Lands mentioned in the Petition, to be equally divided betwixt the Heirs of *Joseph Sawyer* mentioned in the Petition, in the same Manner as tho' the Lands had all descended to them from their Father, excepting only that the eldest Son have a single Share equal to one of the other Heirs of that Land that was given them by their Grand-Father ; in as much as it appears by the Deed exhibited, that it was to be equally distributed among all of the Petitioners. Sent up for Concurrence.

### *Post Meridiem.*

A Petition of *Sarah Allen* of *Bridgewater*, praying that she may be impowred to sell certain Lands mentioned in the Petition.

Petition of  
*Sarah Allen*.

Read and committed to Capt. *White*, Mr. *Stockbridge*, and Mr. *Whitney*, to consider and report thereon.

An engross'd Bill Intituled *An Act for setting off the Inhabitants and Estates of the Propriety of that Part of the Precinct of Salem and Beverly, (so called) which is Part of Salem to the Town of Beverly.*

Read and *Resolved*, That the Bill pass to be enacted.

*John Quincy*, Esq; brought down the Memorial of *Thomas Berry*, Esq; and others, Feoffees of the Grammar-School in *Ipswich*. Pass'd in Council, viz. In Council *September* 12th 1753. On a Motion made and seconded, *Voted*, That the Order for dismissing this Petition be reconsidered, and thereupon *Ordered*, That *John Otis*, and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to hear such of the Petitioners as are now attending, and to inspect the Records relating to *Ipswich* School (now brought to Town by the Town-Clerk of *Ipswich*) and report what may be proper for this Court to do thereon.

Memorial of  
*Thomas Berry*,  
Esq; brought  
down.

Sent down for Concurrence.

Read and concur'd, and Col. *Buckminster*, Mr. *James Russell*, and Capt. *Livermore*, are joined in the Affair.

*James Minot*, Esq; brought down the Bill Intituled *An Act to examine into the Boundary Line or Lines of this Government and New-York &c.* Pass'd in Council with the Amendment. Sent down for Concurrence.

Read and concur'd.

*Benjamin Lincoln*, Esq; brought down a Petition of sundry English Inhabitants at *Natick*, with the following Vote of Council, viz. In Council *September* 11th 1753. *Ordered*, That the further Consideration of this Petition be referred to the second Wednesday of the next Sitting of this Court.

Petition of  
English Inha-  
bitants of *Na-  
tick* brought  
down.

Sent down for Concurrence.

Read and concur'd.

Message from the Board. *John Chandler*, Esq; brought down a Message from the honourable Board, viz. That the Bill appointing Commissioners respecting the Boundary Lines between this and the Government of *New-York*, has passed the Board, and was engrossed ; and proposed that the House would consider of a Time to chuse Commissioners for that Purpose.

*Voted*, That a Message go up to the honourable Board, and inform them that the House propose to proceed to the Choice of five Commissioners at Half an Hour after five o'Clock this Afternoon, and that there be three of the House, and two of the honourable Board.

Petition of *John Simon*. A Petition of *John Simon*, Indian Preacher at *Teticut*, complaining that *Stephen David* and *James Thomas*, have sold certian Indian Lands they have no Right to ; praying that the Court would put a Stop to the same.

Read and committed to Capt. *White*, to draw a proper Vote thereon.

Order for a Bill. On a Motion made and seconded, *Ordered*, That the Representatives for the County of *York*, be directed to bring in a Bill enabling the Justices of the Peace in the several Parts of the Province to swear Grand-Jurors, upon their being chosen to said Office.

Petition of *James Otis &c.* A Petition of *James Otis* and *Oxenbridge Thacher*, Attorneys to *Matthew Hastings*, praying that this Court would reconsider their Order pass'd this Court, for stay of Execution in the Cause of said *Hastings*, against *Oliver Ellis*.

Read and committed to Capt. *White*, and Col. *Lawrence*, to consider and report thereon.

Report on *Fall-Town* Proprietors Petition. The Committee appointed on the Petition of fundry Proprietors of *Fall-Town*, reported according to Order, which was accepted. And *Ordered*, That the Petitioners serve the Proprietors of *Fall-Town*, Resident and Non-resident, with a Copy of this Petition, by inserting the Substance of the Petition in the *Evening-Post*, that they shew Cause, if any they have, on the first Friday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Committee for sorting Votes &c. *Voted*, That Col. *Partridge*, Capt. *Chandler*, and Capt. *Williams*, be a Committee on the Part of the House, to carry up the Votes for the Choice of Commissioners on the Boundary Lines of this Government and *New-York*, and assist in sorting and counting them, together with the Votes of the honourable Board, and report thereon.

The said Committee reported that five Commissioners were chosen by a major Vote, viz. The honourable *John Chandler*, *Thomas Hutchinson* and *Samuel Welles*, Esqrs; *James Otis*, Esq; and *Oliver Partridge*, Esq;

Petition of *Moses Pierfon*, Esq; A Petition of *Moses Pierfon*, Esq; of *Falmouth*, in the County of *York*, praying that he may be enabled to bring forward a Writ of Review against *John Thomas*, and others, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Parties with a Copy of the Petition, that they shew Cause, if any they have, on the first Friday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

The Committee appointed on the Petition of *Joseph Loomis*, reported according to Order.

Read



Read and accepted, and *Voted*, That the Sum of *ten Pounds* be granted out of the publick Treasury to said *Loomis*, in order to support him in carrying on his Action of Trespass against the *Van Dufars*, to be put into the Hands of *John Worthington*, Esq; he to be accountable for the same.  
Sent up for Concurrence.

Mr. Secretary brought down a Letter from His Excellency Governour CLINTON, to His Excellency Governour SHIRLEY. Letter from Gov. Clinton.  
Which he read and laid on the Table.

*Joseph Pyncheon*, Esq; brought down the Petition of *John McKenney*, and others. Pass'd in Council, viz. In Council Sept. 12th 1753. Petition of John McKenney bro't down.  
Read again, and Ordered, That this Petition be dismiss'd.  
Sent down for Concurrence. Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning Nine o'Clock.

### JOVIS 13. Die Septembris, A. D. 1753.

A Petition of *Perfuel Bowen*, praying that the Government would sell him about 350 Acres of the unappropriated Land of the Province, lying near the Township Number *Four*, in the County of *Hampshire*. Petition of Perfuel Bowen.

Read and committed to Mr. *Witt*, Capt. *Marcy*, and Col. *Richards*, to consider and report thereon.

On a Motion made and seconded, Ordered, That Mr. Speaker, Capt. *White*, and Capt. *Livermore*, with such as the honourable Board shall join, be a Committee to prepare Instructions for the Commissioners that are appointed upon the Line of this Government and *New York*, and that the Committee sit forthwith. Committee for Instructions.  
Sent up for Concurrence.

Ordered, That a Message be sent up to the honourable Board, to desire them to dispatch the publick Business before them, that the Court may rise, if His Excellency pleases, this Afternoon. Message to the Board.

*Joseph Pyncheon*, Esq; brought down the Petition of *Abraham Davis*. Pass'd in Council, viz. In Council Sept. 12th 1753. Read again, together with the Answer of *Mary Greenleaf*, and other Papers in the Case, and being considered, Ordered, That *John Otis* and *Jabez Fox*, Esqrs; with such as shall be joined by the honourable House, be a Committee to hear the Parties, consider the Affair, and report what they judge proper for this Court to do thereon. Petition of Abrah. Davis, bro't down.  
Sent down for Concurrence.

Read and concur'd, and Mr. *Gibbs*, Mr. *Allen*, and Col. *Bradford*, are joined in the Affair.

A Petition of *David Ingersole*, Esq; praying Allowance for his Services in procuring Papers respecting the Government Lines with *New-York*. Petition of David Ingersole, Esq;  
Read and committed to *Henry Gibbs*, Esq; Mr. *Witt*, and Col. *Buckminster*, to consider and report thereon.

*Isaac Royall*, Esq; brought down the Petition of *Thomas Berry*, Esq; and others, Feoffees of the Grammar School in *Ipswich*, with a Report of a Committee thereon. Petition of Thomas Berry, Esq; brought down.  
Sign'd John Quincy, per Order, Pass'd

Pafs'd in Council, *viz.* In Council *September 13th 1753.* Read and accepted, and *Ordered*, That the Consideration of said Petition be referred to the next Sitting of the Court, and that in the mean Time the Petitioners serve the within named *Coggswell's* Heirs with a Copy of this Petition, that so they may shew Cause, if any they have, why the Prayer thereof should not be granted. Sent down for Concurrence.

Read and concur'd.

Committee  
on Agent  
*Bollan's* Letter

On a Motion made and seconded, *Ordered*, That Mr. Speaker, Col. *Olis*, and Mr. *Fletcher*, with such as the honourable Board shall join, be a Committee to take under Consideration Mr. Agent *Bollan's* Letter to this Court, dated *Pall-mall 24th May 1753.* with the Papers accompanying the same, and that they report as soon as may be.

Sent up for Concurrence.

Report on  
Capt. *Marcy's*  
Petition.

The Committee appointed on the Petition of Capt. *Moses Marcy*, Agent for the Town of *Sturbridge*, reported according to Order.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the Assessors of the said Town of *Sturbridge*, be impowred to assess *one Penny* per Acre annually for the three next succeeding Years, on the unimproved Lands mentioned in the Petition.

Sent up for Concurrence.

Petition of  
*Nath. Spar-*  
*bawk, Esq;*

A Petition of *Nathanael Sparhawk, Esq;* shewing that at the last Superiour Court holden at *Boston*, *Andrew Knox* was Appellant, and the Petitioner and *Benjamin Colman* Appellees, the said Appellees depending intirely upon their Attorney, who was absent when the Cause was called, Judgment went against them; praying they may have Liberty to give Bond for Review in said Cause &c.

Read and thereupon *Voted*, That the Petitioner serve the adverse Party *Andrew Knox* with a Copy of this Petition, that he shew Cause, if any he hath, on the first Tuesday of the next Sitting of the Court, why the Prayer thereof should not be granted, and that Execution, and all Proceffes in said Cause, be stay'd in the mean Time.

Sent up for Concurrence.

Petition of  
Inhabitants of  
*Ipswich.*

A Petition of fundry Inhabitants of the Southermost Parish in *Ipswich*, representing that their Meadows are much damnified by Means of a Damm and Mills erected upon a Brook running thro' said Meadow &c. praying this Court would take Order concerning said Mills.

Read and *Ordered*, That the Petitioners serve the several Proprietors of said Mills, with a Copy of this Petition, that they shew Cause, if any they have, on the first Thursday of the next Sitting of this Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

Report on  
Petition of  
*Eliphaß Weston*

The Committee appointed on the Petition of *Eliphaß Weston*, of *Duxbury*, reported according to Order.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that he be and hereby is impowred to make Sale of so much of the real Estate of the Minors under his Guardianship as amounts to *seventeen Pounds nineteen Shillings*, being the Ballance due to him, *viz.* out of the Real Estate of *Orphan Peterfon*, *ten Pounds fifteen Shillings and ten Pence half Penny*; and of the Real Estate of *Mary Peterfon*, *seven Pounds three Shillings and one Penny half Penny*, besides the Charges of Sale, and that the said Petitioner, Guardian as afore-

said

said, observe the same Rules and Directions as is given in Law for the Sale of Lond for the Payment of Debts ; and that he be accountable to the Judge of Probate for the County of *Plymouth*, for his Proceedings, and that the said Guardian be impowred to give good and sufficient Deed of so much of the Real Estate of his Wards as shall answer the aforesaid Purposes.

[Land]

Sent up for Concurrence.

*Whereas the Sum of five Hundred Pounds Sterling was granted by this Court at their Session in December 1752, to Mr. Agent Bollan, to be paid out of the publick Treasury, to enable him to solicit the Affairs of this Province at the Court of Great Britain, he to be accountable : In Consequence of which Vote, Charles Apthorpe, Esq; as Attorney to said Bollan, has obtained a Warrant upon the Province Treasury for the Sum of Five Hundred Pounds Sterling, drawn upon the Appropriation of Three Thousand five Hundred Pounds for Grants, agreeable to a Supply Bill made and passed by the General Court at their Session at Concord May 1752, which Appropriation is exhausted ; and there being nother Appropriation in said Supply Bill from which a Transfer can be made ; and as there is a Necessity for the Interest of this Government, that the Money should be immediately remitted said Agent : And as there are considerable Sums of Money which will be due to the Province in a short Time for Lands sold, which will come into the Treasury, and which as yet is not Appropriated for any Use whatever :*

Resolve relating to Agent Bollan's Grant

Therefore Resolved, That the Sum of Six Hundred & sixty six Pounds thirteen Shillings and four Pence, Part thereof be added to the Appropriation of Grants, and applied for that Purpose, and that the Treasurer be directed to discharge said Warrant accordingly.

Sent up for Concurrence.

The Committee appointed on the Petition of *Margaret Ashley*, and others, reported according to Order.

Report on Petition of Margaret Ashley &amp;c.

Read and accepted, and thereupon Voted, That *Noah Parsons*, Guardian to the Children of *Ebenezer Ashley*, deceased, be and hereby is fully authorized and impowred to join with *Jonathan Ashley*, *Mary Dewey*, *Josiah* and *Lydia Pomroy*, and any others that may be concerned in making an Agreement with *Margaret Ashley*, for her Right of Dower in the Estate of *Phinebas Ashley*, deceased ; and after they have paid the Sum they may agree with her sorto take her Discharge, which shall be a final Bar to any Action she might have had for her Dower in the Estate of the said *Phinebas Ashley* ; and that the said *Noah Parsons*, Gnardian as aforesaid, be further authorized and impowred to join with *Jonathan Ashley*, *Mercy Dewey*, *Josiah* and *Lydia Pomroy*, and any others that may be concerned in making Sale of the whole of the Real Estate the said *Phinebas Ashley* died seized of, and in making and executing ample Conveyances in the Law of the same, to the Person or Persons to whom it may be sold, provided the said *Noah*, Guardian as aforesaid, give Caution to the Judge of Probate of Wills &c. in the County of *Hampshire*, for such Part of said Estate, as may belong to the Children of the said *Ebenezer Ashley*, deceased.

[Phineas]

Sent up for Concurrence.

A Petition of *William Bailey* of *Almsbury*, praying that the Court of General Sessions of the Peace in the County of *Essex*, to be holden at *Newbury*, on the last Tuesday of this Instant *September*, may be impowred to grant him a Licence to be a Retailer in said Town of *Almsbury*, the remaining Part of the Year.

Petition of Wm. Bailey.

Z

Read



Read and *Voted*, That the said Court be and hereby are impowred, if they see Cause, to grant the Petitioner a Licence, he first obtaining the Approbation of the Select-Men of *Almsbury*, the Time for granting Licences being elapsed notwithstanding. Sent up for Concurrence.

A Bill Intitled *An Act for the more easy Partition of Lands given by Will and held in Common and undivided.*

Read and further referred to the next Sitting of the Court.

Report of a Committee for telling up and burning Bills &c. in the Treasury.

The Committee appointed the 15th of *June* last, to take an Account of the torn and defaced Bills of Credit, and Government Securities, then in the Hands of the Treasurer, and to consume them to Ashes, reported as follows, viz.

That on the 16th of *July* last, they received of the then Treasurer *William Foye, Esq;* the Sum of *Two Thousand twenty one Pounds ten Shillings and one Penny half Penny*, Bills of the old Tenor, *Three Hundred and nine Pounds two Shillings and seven Pence three Farthings*, Middle Tenor Bills, and *Six Thousand two Hundred eighty seven Pounds thirteen Shillings and one half Penny*, last Emission Bills, and have seen them burnt and consumed to Ashes.

And on the 3d Day of *September* Currant, they received of said *William Foye, Esq;* late Treasurer, *Eighteen Pounds seven Shillings & four Pence*, Old Tenor Bills, and consumed them to Ashes.

And on the 4th Day of said *September*, they receiv'd of the said *William Foye, Esq;* late Treasurer, sundry Lottery Tickets, the Principal and Interest amounting to *Three Thousand & four Hundred & ninety nine Pounds sixteen Shillings*, and also *One Hundred & fifteen Pounds* in Government Securities, payable the 10th of *June 1753*, with Interest thereon, amounting to *Sixteen Pounds four Shillings & nine Pence*: The whole amounts to the Sum of *One Hundred and thirty one Pounds four Shillings & nine Pence*, also *Three Hundred & eighty Pounds*, in a Note which he gave for Money borrowed of His Honour the Lieut. Governour, for the Deficiency of the Lottery, with Interest, amounts to *Twenty six Pounds eight Shillings and four Pence*; which makes *Four Hundred & six Pounds eight Shillings and four Pence*; also *One Thousand three Hundred & thirty five Pounds six Shillings and four Pence*, in Government Securities, payable the 31st of *December 1751*, with the Interest thereon, *One Hundred & forty eight Pounds thirteen Shillings & eight Pence*, the whole amounting to *One Thousand four Hundred and eighty four Pounds*; also *Three Hundred & forty five Pounds ten Shillings & nine Pence* in Notes, signed by *Andrew Oliver* and *Thomas Hubbard, Esqrs;* and *Mr. Harrison Gray*, a Committee of the General Court, with Interest thereon *Fifteen Pounds ten Shillings and one Penny*, making *Three Hundred & sixty one Pounds & ten Pence*; The whole of the Securities above-mentioned, with the Interest thereon, amount to *Two Thousand three Hundred & eighty two Pounds thirteen Shillings & eleven Pence*. All which we have received and consumed to Ashes.

Signed *John Osborne*, per Order.

Read and accepted, and *Voted*, That the late Treasurer *William Foye, Esq;* be discharged of the above Sums accordingly.

Sent up for Concurrence.

Petition of  
Messrs. *Freeman*  
and *Quincy*.

A Petition of Messieurs *Isaac Freeman* and *Henry Quincy*, praying for a Re-hearing of their Cause with *Robert Barker* of *Dartmouth*.

Read and Ordered, That the Petition be dismiss'd.

*Samuel*

*Samuel Watts*, Esq; came down from the honourable Board with a Message from the Board, desiring the two Houses, may rise, that the several Committees may proceed to Business.

A Bill Intituled *An Act to appoint Commissioners to examine into the Boundary Line or Lines between this Government and New-York, and to treat with Commissioners appointed by the Colony of New-York respecting the same.*

Read and Resolved, That the Bill pass to be enacted.

*Samuel Danforth*, Esq; brought down the following Vote of Council, *Vote of Council bro't down.*  
*viz.* In Council September 13th 1753. Ordered, That *John Chandler*, Esq; be impowred and directed to demand Copies from the proper Offices in the Colony of *Connecticut*, of all Papers and Records relating to the Settlement of the Line between this Province and the said Colony; and that in Case any such Copies shall be refused to be delivered, that the said *John Chandler*, Esq; do then demand the same by a publick Notary, or in the Presence of two Witnesses, and that he take Care to cause the Evidence of such Demand and Refusal thereupon to be duly authenticated.

Sent down for Concurrence.

Read and concur'd.

### *Post Meridiem.*

A Petition of the Northerly Part of the Town of *Concord*, shewing, that they labour under great Inconveniencies by Reason of their Distance from the Place of publick Worship; praying they may be made a separate District, for the Reasons mentioned. *Petition of the northerly Part of Concord.*

Read and Ordered, That the Petitioners serve the Town Clerk of *Concord* with a Copy of this Petition, that they shew Cause, if any they have, on the second Wednesday of the next Sitting of the Court, why the Prayer thereof should not be granted. Sent up for Concurrence.

A Petition of *Mr. Ephraim Jones*, Agent for the first Parish in the Town of *Concord*, representing that one *John Billing*, who was a Collector for said Parish, is become *Non Compos*, and has not compleated his Collection; praying that the said Parish, or their Committee, may be impowred to commit the Lists of Assessments that were committed to the said *Billing's*, to some other Person. *Petition of Mr. Ephraim Jones bro't down.*

Read and committed to *Mr. Ephraim Jones*, *Col. Buckminster*, and *Col. Winslow*, to draw a proper Vote thereon.

*Benjamin Lincoln*, Esq; brought down His Excellency's Message respecting *Dr. Douglass's* Plan, with the following Report of a Committee of both Houses. Signed *Wm. Pepperrell*, per Order. *Committee's Report on Dr. Douglass's Plan.*

The Committee to whom the Message of His Excellency the Governour, on the Petition of *Mr. Cornelius Douglass*, Nephew of *Dr. Wm. Douglass*, deceased, relating to a Plan or Map of the four Governments of *New-England*, was referred, having carefully examined the same, beg leave to Report, That we find it to be very erroneous, and are therefore humbly of Opinion. that no Countenance be given to its being made publick, apprehending it would have a Tendency to lead the Inhabitants of this Province into great Difficulties.

Pass'd in Council, *viz.* In Council September 13th 1753. Read and Ordered, That the foregoing Report be accepted.

Sent down for Concurrence.

Read and concur'd.

The

Report on  
Petition of  
*David Ingersole*, Esq;

The Committee appointed on the Petition of *David Ingersole*, Esq; reported.

Read and not accepted, and *Ordered*, That the Petition be referred to the next Sitting of the Court.

Resolve on  
the Bill for  
establishing  
the Rate and  
Currency of  
Gold.

A Bill Intituled *An Act more effectually to establish the Rate and Currency of Gold within this Government.* Read a second and third Time.

Then the Question was put, *Whether the Engrossment of the said Bill be determin'd by Yeas and Nays?* Resolved in the Affirmative.

And the Question was put, *Whether the Bill should pass to be Engross'd with the Amendments at A & B.* Resolved in the Affirmative.

*Yeas.*

*Yeas.*

*Nays.*

Joseph Bent  
John Ruggles  
Thomas Pratt  
Joseph Richards  
Peter Coolidge  
Joseph Hewen  
Jonathan Adams  
Joseph Gerrish  
Benjamin Newhall  
Thomas Lancaster  
Abraham Morrel  
William Stephens  
Benjamin Milliken  
Jonathan Foster  
Elijah Porter  
William Fletcher  
Edward Walker  
Enoch Kidder  
Joseph Buckminster  
Ephraim Spaulding  
Ebenezer Littlefield  
Gideon Lyman  
Oliver Partridge  
Elijah Williams  
John Sherman  
John Murray  
Nathan Tyler

Timothy Brigham  
Jonathan Whitney  
John Whitcomb  
Moses Marcy  
Ensign Otis  
Gamaliel Bradford  
John Winslow  
Israel Turner  
Isaac Bonny  
David Stockbridge  
Jacob Porter  
Benjamin Samson  
James Otis  
Samuel White  
Thomas Cobb  
Israel Nichols  
Nathanael Sole  
Benjamin Day  
William Slade  
John Bradbury  
Nathanael Sparhawk  
William Gerrish  
Nathanael Wells  
Jedediah Prebble  
Edward Milliken  
Enoch Coffin.

*Samuel Welles*  
*Thomas Hubbard*  
*James Bowdoin*  
*Jacob Cushing*  
*John Goldsberry*  
*William Bowdoin*  
*John Tasker*  
*John Hunt*  
*Ebenezer Nickols*  
*John Noyce*  
*Samuel Witt*  
*William Lawrence*  
*Josias Bucknam*  
*Samuel Livermore*  
*Nathanael Russell*  
*David Mosely*  
*Joseph Wilder*  
*William Ayres*  
*William Downe*  
*Daniel Greenwood*  
*Josiah Taft*  
*Josiah Edson*  
*Nathanael Smith*  
*Ezra Richmond*  
*Abisha Folger.*

Then the House adjourn'd till to Morrow Morning Nine o'Clock.

**Veneris 14. Die Septembris, A. D. 1753.**

Bills enacted.

**A**N engross'd Bill Intituled *An Act for erecting Part of George-Town in the County of York into a Precinct.*

Read and *Resolved*, That the Bill pass to be enacted.

An engross'd Bill Intituled *An Act to empower the Proprietors of the Meeting House in the first Parish in Salem where the Reverend Mr. Dudley Leavitt now officiates, to raise Money to defray ministerial & other Charges.*

Read and *Resolved*, That the Bill pass to be enacted.

Read



The Committee appointed to take under Consideration the Petition of Mr. *Ephraim Jones*, as entred Yesterday, reported according to Order. Report on  
Petition of  
Mr. *Ephraim  
Jones*.

Read and accepted, and thereupon *Voted*, That the Committee of the first Parish in *Concord*, be and hereby are impowred to take the List of Assesment which has been committed to Mr. *John Billing*, late Collector, who by Sicknefs and Disorder of Mind, is unable to compleat his Collection; and take therefrom a List of the Persons who have not paid their Proportion of the said List, and the several Sums due from each of them, and commit the same to one of the Collectors for said Parish this present Year, with a Warrant to oblige and enable him to collect the same, the said Parish Committee allowing the Collector to whom they commit the same after the Rate of *five per Cent.* for his Service.

Sent up for Concurrence.

The Petition of *John Simon*, as entred Yesterday, read again, and *Ordered*, That the Guardians for the *Teticut* Indians, take special Care that they approbate no Petition from *Stephen David* or *James Thomas* for Sale of Land, until they strictly examine into the Right which they may respectively have to the Lands they may Petition to sell, in as much as it is suggested to this Court that the said *Stephen* and *James* have sold considerable Lands that they have no Right to, and are now applying to said Guardians for their Approbation for the Sale of more. Order on  
Petition of  
*John Simon*.

Sent up for Concurrence.

The Committee to whom was referred the Petition of *James Otis*, and *Oxenbridge Thacher*, Attorneys to *Matthew Hastings*, reported. Report on  
Petition of  
*James Otis*,  
&c.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, that in as much as the Petitioners Execution against *Oliver Ellis* is stayed by Order of this Court, that *Sylvanus Plymton's* Execution against the Petitioner be also stayed, until the Time appointed for Hearing before this Court on the Petition of the said *Ellis*; and also that the Petitioners Execution against *Ebenezer Mason* for Cost, be also stayed to that Time.

Sent up for Concurrence.

Mr. Secretary brought down a Message from His Excellency the Governour, which he laid on the Table.

His Excellency's Message was read, and is as follows, *viz.*

Gentlemen of the House of Representatives,  
*I Have considered your Message delivered to me on Tuesday last, particularly that Part of it which relates to the Commissioners in the intended Inter-view with the Eastern Indians giving them Satisfaction as to the English Claims of Land on Kennebeck-River; and altho' what you have suggested may be very proper to be urged and insisted upon by the Commissioners; yet I apprehend it will not be sufficient to satisfy and quiet them, nor to Answer the Promise made them the last Year by the Commissioners then sent down, according to the Understanding the Indians had of it.* Message from  
His Excellen-  
cy.

*And therefore I would propose that as many of the Original Deeds as may be obtained, be put into the Hands of the Commissioners that shall meet the Indians this Fall, and by them laid before them, and then brought back, and returned to the Owners.*

W. SHIRLEY.

Council Chamber, Sept. 13. 1753.

Read and *Ordered*, That Mr. *Welles*, Capt. *White*, and Col. *Richards*, be a Committee to take under Consideration His Excellency's foregoing Message, and report thereon,

Verbal Message from His Excellency.

A verbal Message from His Excellency by Mr. Secretary, informing the House, That the Beacon which was erected upon a Spit of Sand near the Light-House, is destroyed ; and that it is very necessary that a new one be erected there ; recommending the same to the Consideration of the House.

Report on the Governor's Message of Yesterday.

The Committee appointed on His Excellency's Message of Yesterday, reported thereon, and thereupon

*Ordered*, That the Commissioners who may be appointed to the Interview with the Eastern Indians, take with them as many of the original Deeds of the Lands in the Eastward Parts of the Province as they can obtain, in order to quiet and satisfy the said Indians.

Sent up for Concurrence.

Report on Petition of *Perfuel Bowen*, Treasurer directed.

The Committee appointed on the Petition of *Perfuel Bowen*, reported. Read and accepted, and *Ordered*, That the Petition be dismiss'd.

*Voted*, That the Province Treasurer be directed to receive Province Bills of Credit, also Halves and Quarters of the same, of Sheriffs, Farmers of the Excise, Constables and Collectors of the Province Taxes, 'till the first Day of *March* next, and no longer, and that the Treasurer give Notice thereof in the publick Prints accordingly.

Sent up for Concurrence.

Report on His Excellency's Speech relating to Ordinance for *Castle William*.

*Josiah Willard*, Esq; brought down the Report of the Committee of both Houses, on that Part of His Excellency's Speech respecting Ordinance Stores and Cannon. Signed *Wm. Pepperrell*, per Order.

In Council *September* 13th 1753. Read and sent down.

Read, and *Voted*, That the said Report be accepted, and *Ordered*, That the Thanks of this House be given to His Excellency the Governour, for his Care in soliciting His Majesty for the Cannon & Mortars &c. for *Castle William*, so far as to obtain the same, in the Room of those that were taken from thence for the *Louisbourg* Expedition ; and that the Sum of *fifty two Pounds ten Shillings* Sterling, be paid out of the publick Treasury to His Excellency Governour *SHIRLEY*, for sundry Contingent Charges &c. expended in obtaining the said Cannon and Stores.

Sent up for Concurrence.

Order relating to Agent *Bollan's* Grant.

On a Motion made and seconded by divers Members, *Ordered*, That this House take under Consideration the making a Grant to Mr. Agent *Bollan*, at four o'Clock this Afternoon.

Report on the farming *Worcester* Excise.

*Josiah Willard*, Esq; brought down the Report of the Committee for farming the Excise in the County of *Worcester*.

Read and accepted, and *Ordered*, That the Sum of *two Pounds six Shillings & eight Pence*, be allowed and paid out of the publick Treasury in full Discharge of their Accompt.

Petition of *Parker Lombert*.

A Petition of *Parker Lombert*, a poor Soldier, praying Allowance, for the Reasons mentioned.

Read and committed to Capt. *White*, Capt. *Joseph Williams*, and Mr. *Allen*, to consider and report thereon.

Report on the farming the Excise in *Nantucket*.

The Committee appointed to farm out the Excise in the County of *Nantucket*, reported.

Read and accepted, and *Voted*, That the Sum of *two Pounds four Shillings & one Penny*, be allowed and paid out of the publick Treasury in discharge of the said Accompt. Sent up for Concurrence.

*Eleazer*

*Eleazer Porter*, Esq; brought down a Draft of Instructions for the Commissioners appointed to examine into the Boundary Lines of this Government with *New-York*. Pass'd in Council, viz. In Council Sept. 14th 1753. Read and sent down. Instructions for Commissioners.

Read and concur'd.

The Committee on the Petition of *Sarah Allen* of *Bridgewater*, reported according to Order. Report on Petition of *Sarah Allen*.

Read and Ordered, That the Petition be referred to the next Sitting of the Court for further Consideration.

A Petition of *Enoch Coffin*, Esq; Representative of the Town of *Edgarton*, praying for an Abatement of a Fine laid on said Town for not sending a Representative the last Year, and Part of their Tax. Petition of *Enoch Coffin*, Esq;

Read and Ordered, That the Petition be dismiss'd.

Voted, That the Committee appointed by this Court to take an Account of the Province Bills, and of the Government Securities, in the Hands of the present Treasurer, and consume them to Ashes; be also directed to take an Account of the Small-Bills made for Change, in the Hands of the former Treasurer, and consume them to Ashes also, and likewise take an Account of him what he has pass'd away of said Bills that he is accountable for. Committee directed.

Sent up for Concurrence.

*John Chandler*, Esq; brought down the Petition of *Sarah Taylor* of *Barnstable*, with a Vote of Council thereon. Pass'd in Council, viz. In Council September 14th 1753. Read and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed to sell so much of the Intestate's Land, as shall be sufficient to pay the within mentioned Debt, she giving proper Caution to the Judge of Probate for the County of *Barnstable*, to dispose of the Produce of the Premises pursuant to Law. Petition of *Sarah Taylor* bro't down.

Sent down for Concurrence.

Read and concur'd.

*John Chandler*, Esq; brought down a Petition of *Desire Russell* of *Barnstable*, with a Vote of Council thereon. Pass'd in Council, viz. In Council Sept. 14th 1753. Read and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed to sell so much of the Intestate's Land, as shall be sufficient to pay the within mentioned Debt, she giving Caution to the Judge of Probate for the County of *Barnstable*, to dispose of the Produce of the Premises, pursuant to Law. Petition of *Desire Russell* bro't down.

Sent down for Concurrence.

Read and concur'd.

*Sylvanus Bourn*, Esq; brought down the Petition of *Eleazer Veasey*, a Prisoner in the Goal in the County of *Suffolk*, praying the Compassion of this Court. Pass'd in Council, viz. In Council Sept. 14th 1753. Read and Ordered, That *Ezekiel Cheever* and *John Otis*, Esqrs; with such as the honourable House shall join, be a Committee forthwith to repair to the Prison, and inquire into the Circumstances of the Prisoner, and make Report to this Court. Petition of *Eleazer Veasey* bro't down.

Sent down for Concurrence.

Read and concur'd, and Col. *Buckminster*, Capt. *Joseph Williams*, and Mr. *Witt*, are joined in the Affair.

The Committee appointed on the Petition of *Robert Auchmuty*, reported, that it be referred to the next Sitting of the Court.

Report on Petition of *Robert Auchmuty*.

Read



Read and accepted, and *Ordered*, That the Petition be referred to the next Sitting of the Court accordingly.

Committee for a Recess. On a Motion made and seconded, *Ordered*, That Mr. *Allen*, Col. *Buckminster*, Mr. *Tasler*, Capt. *White*, and Mr. *William Bowdoin*, wait on His Excellency the Governour, and desire the Court may have a Recess.

Report on the farming Hamp- of Hampshire. The Report of a Committee appointed to farm the Excise in the County of Hampshire. Signed *Eleazer Porter*, per Order. *Sept. 14th 1753.* Read and sent down.

*Ordered*, That the Report be accepted, and that the Sum of *one Pound two Shillings* be allowed and paid out of the publick Treasury to the Committee for that Service, in discharge of their Account.

Sent up for Concurrence.

Vote on the Petition of *David Ingersole*, Esq; On a Motion made and seconded, *Voted*, That the House will resume the Consideration of the Petition of *David Ingersole*, Esq; And after a Debate, *Ordered*, That it be recommitted to the Committee, further to consider and report thereon.

Who reported, That the Sum of *thirty four Pounds & two Pence*, be allowed and paid out of the publick Treasury to *David Ingersole*, Esq; in full Discharge of his past Services and Expences in Behalf of the Government at *New-York* and elsewhere.

Sent up for Concurrence.

Report on Petition of *Parker Lombert*. The Committee appointed on the Petition of *Parker Lombert*, reported according to Order.

Read and *Ordered*, That the Prayer of the Petition be so far granted, as that there be paid out of the publick Treasury to the Petitioner the Sum of *five Pounds six Shillings & eight Pence*, including the Sum formerly granted him, which he has not yet received, in Consideration of his Losses therein mentioned.

Sent up for Concurrence.

Petition of *Charles Colton*. A Petition of *Charles Colton*, praying he may be Licenced as an Innholder in the Town of *Cambridge*.

Read and *Ordered*, That the Prayer of the Petition be so far granted as that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex*, at their next Term, be impowred, if they see fit, to Licence the Petitioner to give publick Entertainment in the House where *Abiel Richardson* now lives, he first obtaining the Approbation of the Select-Men of *Cambridge*.

Sent up for Concurrence.

Commissioners' Guard. *Voted*, That the Captain-General be desired to give Order for a Guard not exceeding fifty Men, for the Defence of the Commissioners appointed to treat with the Eastern Indians, if the said Commissioners think it necessary when they arrive there.

Sent up for Concurrence.

Grant to Mr. Agent *Bollan*. The House according to Order, took under Consideration the making a Grant to Mr. Agent *Bollan*, and thereupon *Voted*, That the Sum of *five Hundred Pounds* Sterling be paid out of the publick Treasury to Mr. Agent *Bollan*, to enable him to transact the Affairs of this Province at the Court of *Great Britain*, and that Mr. Treasurer *Gray*, be and hereby is directed to transmit the same to him accordingly.

Sent up for Concurrence.

Committee on Agent's Letter. *Voted*, That Mr. Speaker, Mr. *Welles*, and Mr. *James Russell*, with such as the honourable Board shall join, be a Committee, in the Recess of the Court, to take under Consideration Mr. Agent *Bollan*'s Letter, and transmit to him such Papers and Evidences as they judge necessary for his transacting and carrying on the Affairs of this Province at the Court of *Great Britain*.

Sent up for Concurrence.

*It being represented to this House, that Michael Halenbeck, lately dwelling on some Lands in Dispute between this Government and that of New-York, who was sometime since imprisoned in Dutchess-County Goal, by Order or Warrant from Authority in New-York Province, and unexceptionable Bail refused by the Officer, is still continued under a very close Confinement, and is in a very uncomfortable Place, notwithstanding the offer of very sufficient Bail :*

Vote relating to the imprisonment of Mich. Halenbeck.

Wherefore,

*Voted,* That His Excellency the Governour be desired as soon as may be, to write very particularly on this Affair, to His Excellency the Governour of *New-York*, this Court apprehending that the common Rights of all His Majesty's Subjects in such Circumstances are denied him.

Sent up for Concurrence.

*Voted,* That all Matters now before the Court, and not pass'd on, be referred 'till the next Sitting of this Court.

All Matters refer'd.

Sent up for Concurrence.

*John Greenleaf, Esq;* brought down the Petition of *Abraham Davis*, with the Vote of Council thereon.

Petition of *Abrah Davis* bro't down.

Read and concur'd.

*Voted,* That *Samuel Welles, John Chandler, Thomas Hutchinson, James Otis, and Oliver Partridge, Esqrs;* be a Committee to confer with such as may be appointed by the General Court of the Colony of *Conneſſicut*, to be convened in *October* next, for encouraging and facilitating Trade and Commerce between the People of the two Governments; and make Report to this Court for their Confirmation: And the said Committee are directed to transact this Affair about the Time of their meeting the Gentlemen of *New-York*, and at the same Place.

Committee to confer with *Conneſſicut* Commissioners.

Sent up for Concurrence.

*Samuel Watts, Esq;* brought down the above Vote. Pass'd in Council, *viz.* In Council *Sept.* 14th 1753. Read and concur'd, with the following Amendment, *viz.*—And that His Excellency be desired to inform the Governour of *Conneſſicut* of this Proposal, that so the General Assembly of that Colony, may appoint some Gentlemen, to treat with the Gentlemen aforesaid, if they see meet, on the Affair— Sent down for Concurrence.

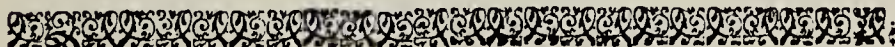
The above Vote brought down.

Read and concur'd.

A Message from His Excellency the Governour by Mr. Secretary, *viz.* Mr. Speaker, His Excellency directs that this Great and General Court or Assembly, be Prorogued to Tuesday the twenty-third Day of *October* next, at ten o'Clock in the Forenoon.

Prorogation of the Court.

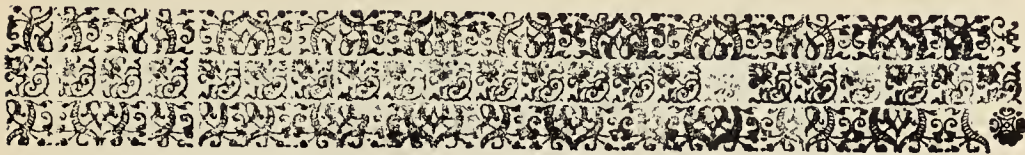
And then Mr. Secretary declared the said Court to be Prorogued to that Time accordingly.







Anno Regni Regis GEORGE II. II. Magnæ Britanniae Franciæ et Hiberniæ &c.  
Vicesimo Septimo.



A

# JOURNAL

Of the Honourable House of

REPRESENTATIVES.

At a Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*, begun and held at *Boston* in the County of *Suffolk*, upon Wednesday the 30th Day of *May*, Anno Dom. 1753. and from thence continued by fundry Prorogations to Tuesday the 4th of *December* following, and then met at *Boston* aforesaid, being the third Session of said Court.

Quorum of the House being met, *Voted*, That whereas *Roland Cotton*, Esq; Clerk of the House, being indispos'd, and unable to attend his Duty, the House proceeded to the Choice of *Joseph Richards*, Esq; their Clerk, *pro Tempore*: And the following Oath was thereupon administred to him, by the honourable *Samuel Welles*, Esq; *Viz.*

*Whereas* you *Joseph Richards*, Esq; are chosen Clerk of the House of Representatives, *pro Tempore*, you do Swear, that you will enter all the Votes and Orders thereof; and in all Things relating to your Office, you will act faithfully and impartially. So help you GOD.

Ordered, That *Samuel Welles*, Esq; *Mr. James Bowdoin*, *Samuel White*, Esq; *Mr. William Fletcher*, and *Henry Gibbs*, Esq; wait on His Excellency the Governour, and acquaint him a Quorum of the House are now met, and are ready to proceed to the Business of the Session.

Who returned they had delivered the Message.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 5. Die Decembris, A. D. 1753.

Message from  
His Excellen-  
cy.

A Message from His Excellency the Governour, by Mr. Secretary Willard, viz.

Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber.

Mr. Speaker and the House went up accordingly ; and His Excellency was pleased to make a SPEECH to both Houses : Of which Mr. Speaker obtain'd a Copy ; and then with the House returned to their own Chamber.

His Excellency's SPEECH was read, and is as follows, viz.

*Gentlemen of the Council and House of Representatives,*

His Excellen-  
cy's Speech  
to both Hou-  
ses.

“ DURING the Recess of the Court, I have comply'd with the  
“ Requests contain'd in the several Messages, which you sent  
“ me in your last Session.

“ Pursuant to your Vote of the 7th, and Message of the 11th of  
“ September, desiring me (if I could not attend the Business myself) to  
“ appoint Commissioners to meet the *Eastern* Indians, and to distribute  
“ the annual Presents of this Government to them, in the most advan-  
“ tageous Manner ; also that I would give it in Charge to the Com-  
“ missioners, to remonstrate to the Indians at their Interview with them,  
“ the Injustice and Baseness of their Conduct in carrying away and  
“ detaining the Children of *Benjamin Mitchel* and *Lazarus Noble*, con-  
“ trary to the Treaties of Friendship subsisting between us, and their  
“ repeated Promises to restore the said Children ; and to insist on their  
“ performing what they promis'd ; and that they should lay before  
“ the Indians the just Right of the English to all the Lands along the  
“ River *Kennebeck*, above the Fort at *Richmond*, and to use their best  
“ Endeavours to make them acquiesce in the Settlements intended to  
“ be made there ; I appointed Commissioners, who proceeded upon  
“ that Business to *St. George's* and *Richmond* Forts, with particular In-  
“ structions relating to the beforemention'd Points ; and the Result of  
“ their Interview and Conference with those Indians, as also the Effect  
“ of the Letter, which I wrote to the Indians by these Gentlemen, to  
“ apprise them of the Artifices of their Jesuit Priest to create Jealousies  
“ and a Misunderstanding between them and this Government, will  
“ appear in the Copy of the Conference between them and the Com-  
“ missioners ; which, together with a Copy of my Letter to the Indians,  
“ I shall order the Secretary to lay before you.

“ And in Compliance with your Request in that Part of the said  
“ Message, wherein you desire me to write to the Governour of *Canada*,  
“ upon his detaining two of the above-mentioned Children of *Benjamin*  
“ *Mitchel* and *Lazarus Noble*, who were found in the Possession of some  
“ French Inhabitants at *Montreal*, by their Fathers, whom the French  
“ Governour refus'd to permit to treat with their Masters for their  
“ Redemption, but oblig'd to depart instantly out of the Country ; I  
“ have wrote to the said Governour, and in strong Terms remonstrated  
“ against this Proceeding, as a Violation of the Amity now subsisting  
“ between the two Crowns, and an Infringement of the natural Rights  
“ and Liberties of Mankind, and have demanded of him to deliver  
“ up those Children, and whatever other Captives, appertaining to this  
“ Government.

“ Government, might be found in *Canada*, to Mr. *Natbanael Wheelwright*, whom I have Commissioned to deliver my Letter to him, (a Copy of which shall be laid before you) and to demand Restitution of the said Children.

“ During the Recess of the Court, I likewise wrote Letters, at your Instance, *Gentlemen*, to the Governours of *New-York* and *Connecticut*, and have received Answers to both of them ; which, together with Copies of my own Letters, shall be laid before you.

“ By the Answer from His Honour Lieutenant-Governour *Dr LANCEY*, now Commander in Chief of the Province of *New-York*, and the Report accompanying it, you will find that the Assembly of that Province declines joining with you in the Method propos’d for the Settlement of the Boundary Line between the two Governments, and hath determin’d to leave that to the Decision of His Majesty ; Wherefore I think it proper, *Gentlemen*, to recommend to you to obtain, as soon as may be, the exactest Knowledge, you can, of the just Extent of this Province, as it bounds upon that of *New-York*, and to prepare a State of the proper Evidences for ascertaining those Limits, and maintaining your Claim, when that shall be brought into Judgment.

“ By the Answer from Governour *WOLCOTT*, and Vote of the General Court of *Connecticut*, you will find they have readily comply’d with our Motion for appointing a Committee to confer with the Gentlemen nam’d by us, on the Subject of the Trade between the two Governments ; and altho’ the intended Meeting hath fail’d at the Time appointed, thro’ the Disagreement of the Government of *New-York*, to the Meeting intended with their Commissioners ; yet as the conferring with the Gentlemen of *Connecticut* has no Dependence upon the other Affair, and is likely to be of great Benefit to both Governments, I think it should be attended as soon as may be, consistent with the other Business of this Court.

“ During also the Recess of this Court, the Ordnance Stores, which I acquainted you, at your last Session His Majesty had been graciously pleased to grant to the Province for the Defence of *Castle William*, arrived in good Condition, and are safely landed there, the Cannon mounted, and the other Stores disposed in their proper Places.

“ By this new Supply that Fortrefs, which is the Key of the Province, and its main Bulwark against the Attempts of an Enemy by Sea, may now be deemed to be sufficiently provided with Cannon and other Ordnance Stores ; and from the Advantage of its Situation, and Strength of its present Works, to be in a Condition to repel the Attacks of any Ships, which can Approach near enough to annoy it.

“ This Instance of His Majesty’s paternal Care for the Security of his good Subjects in this Province, would, I am persuaded, of itself excite you, *Gentlemen*, to follow his Royal Example, by making Provision for putting the other Forts of the Country, and every other Part of the Province, into a proper State of Defence : — But it is become in an especial Manner my Duty to recommend that to you at this Juncture, from a Letter, I have lately had the Honour to receive from the Earl of *Holderness*, one of His Majesty’s principal Secretaries of State, (a Copy of which shall be laid before you) acquainting me, “ that His Majesty hath had Information given him of the March of a considerable Number of Indians not in his Alliance, supported by some regular *European* Troops, intending, as it is apprehended,



“prehended, to commit some Hostilities on some Parts of His Majesty’s Dominions in *America*,” and signifying to me (among other of his Royal Commands) “that I should be upon my Guard, and put the Province under my Government into a Condition *at all Events* to resist any hostile Attempts which may be made upon it.”

“How necessary a Precaution this is, and how highly it behoves you to be guarded against all Surprise, the alarming Steps which the French of *Canada* have taken upon this Continent, and the extraordinary Preparations, they seem to be still making to put themselves into a Condition of striking some general Blow upon his Majesty’s Colonies here, in Case of a Rupture between the two Crowns, are most convincing Arguments.

“Towards fortifying the Garrisons, which are not exposed to the Attempts of an Enemy by Sea, in the most frugal, as well as effectual Manner, I would propose, *Gentlemen*, to have all the Cannon of the several Inland Garrisons, which from their Age, Unsizeableness, and being honey-combed, are become unserviceable, cast into Guns of four Pound Ball, which, besides being a real Defence to those Forts, would make a Saving to the Province in the Expence of Powder used upon Rejoycing Days, and other Festival Occasions : Also that the Carriage Wheels, which are at present of Wood, in those Garrisons, and often want repairing, should be made of Cast Iron, in the same Form with those at Castle *William* ; and that the Wheels now wanting for any of the Carriages in that Fort too, and Fort *Frederick* at *Pemaquid*, should likewise be made of Cast Iron ; for doing which, I am assured, there is a sufficient Quantity of old unserviceable Guns belonging to the Province : I would further propose fortifying the Inland Garrisons in the Eastern Parts with two Cohorn Mortars each, for which I am likewise informed there is now a sufficient Proportion of Shells belonging to the Province ; as also a Quantity of old Iron large enough to furnish Materials for casting them : This would be a Protection to those Forts beyond the Reach of their Cannon, which seems necessary to be provided against a Time of War, as without it, they may be exposed to a Bombardment from the Enemy’s Cohorns, which it is very practicable for the French to bring against them, and to annoy them with, from behind some Hill, where they might be cover’d from the Cannon of the Garrisons, but not from their Cohorns.

“These Things, I thought proper, to point out to you, *Gentlemen*, upon this Head : If other Matters shall occur to you upon it, when you take the putting of the Province into a proper State of Defence under your Consideration, adviseable to be done for that Purpose, you may depend upon my concurring with you in whatever may tend to promote His Majesty’s Service and the Security of the Province.

“*Gentlemen*, The Plan concerted by this Government about three Years ago for cultivating the Friendship of the Indians of the *Six Nations*, and keeping them in a closer Alliance with his Majesty, gave me great Satisfaction upon my Return to the Province : But it is with equal Concern that I am inform’d, that Obstructions have been made to the carrying it on so successfully as could be wish’d ; I must therefore recommend it to you in the most earnest Manner, to examine thoroughly and impartially into the State of this Affair ; and not to suffer so salutary and beneficial a Scheme for the English Interest to miscarry, but to put it upon a proper Foot, and make Provision for the effectual Execution of it. “ It

“ It is also a great Pleasure to me to find the happy Effects of the Reimbursement granted by Parliament of our Charges expended in the Reduction of *Cape-Breton*, which hath brought us back to a Silver Medium, the only natural and genuine one, both for private Commerce and the public Business of the Government, and delivering us from the many Mischiefs attending a Paper Currency ; especially as it has been of late Years unhappily managed in the several Provinces and Colonies of *New-England* : Yet I am much concern’d to find, that notwithstanding all the Bills of Credit ought to have been long before this Time, drawn in and exchange’d for Silver, yet some of them are still suffer’d to be outstanding. I must therefore recommend it to you to fix as short a Period, as conveniently may be from this Time, for putting an End to the Currency of the Bills still outstanding, and to concert proper Measures for keeping the Silver and Gold within the Province.

“ Among other Methods, for that Purpose, *Gentlemen*, I would recommend to you to give some Encouragement to the raising of Wheat and other English Grain within the Province, as our purchasing it from the neighbouring Colonies contributes greatly towards draining us of our Coin.

“ Another probable Means of advancing the same good End (as well as others of great Importance) is to provide more effectually for Employing and setting to Work such of the Poor, as are able of Body, and for restraining all idle, and disorderly People among us from those Vices, which render Persons, who might otherwise be useful Members of the Common Wealth, burthensome and pernicious to it ; more especially that Care may be taken of the Education of the Children of the Poor of both Sexes, by training them up to earn their Livelihood by Industry in some useful Calling, and instructing them in the Knowledge of the Christian Religion.

*Gentlemen of the House of Representatives,*

“ Upon inquiring into the State of the Treasury, I find by the Warrants already drawn on it, & what will be further drawn in the Course of the Year, that, according to the best Calculation which can be made, there will be a Necessity for making a new Supply this Session of *Ten Thousand Pounds* to defrey the Charges of the Government to next *May* ; which I doubt not but you will provide for.

“ In doing this, I hope there will be no Occasion for burthening your Constituents either with a new Tax, or making any *considerable* Loan at least, but that the *whole* Deficiency may be supply’d by Sums which are now remaining in, or will be soon paid into the Treasury, and are not yet appropriated.

“ But the Treasurer shall lay before you a State of this Affair, and then, *Gentlemen*, you will be the best Judges of what will be the most proper Method of making a new Supply.

*Gentlemen of the Council and House of Representatives,*

“ As your last Session happen’d at a very busy Season of the Year for your Husbandry Affairs, which made your Attendance then, very inconvenient to you, I determin’d to lay nothing before you, but what required an immediate Dispatch for the publick Service, and defer’d mentioning any Matters to you, which related to my own private Interest, until you should be more at Leisure.

“ I observ’d to you, *Gentlemen*, at that Meeting, that my Employment as one of His Majesty’s Commissaries at *Paris*, (among other Business of my Commission) for the Settlement of the Eastern Limits of this Province (a great Tract of which was claim’d by the French) as also of the ancient Bounds of *Nova Scotia*, in which likewise the Security and Welfare of this Province is deeply concern’d, had occasioned my Absence from my Government and Family, about three Years longer than it would otherwise have been.

“ I have no doubt, *Gentlemen*, but that the Relation I stood in to you, was one Motive with His Majesty, for appointing me to this Service; and it was the Regard which I bore to the Interest of the Province, which induc’d me the more readily to accept of it; but I had no Apprehension of being detain’d so long in it. This Negotiation has necessarily occasion’d to me (besides the Inconvenience I otherwise suffer’d in my private Affairs) a very considerable Expence over and above what I receiv’d from His Majesty for my Support in the discharge of my Commission.

“ I would further observe to you, *Gentlemen*, that during my Residence in *England*, I had the Interests of the Province as much at Heart, and employed my Attention, in serving them, as much as I could have done, if I had continued in the Province: As one Instance of this, I desire to refer you to a Memorial which I presented to the Right Honourable the Lords Commissioners of the Treasury on your Behalf, soon after my Arrival in *England*, in the Absence of Mr. *Bollan*, who was then at *Boston*, upon your Application for a Reimbursement of what you had expended for His Majesty’s Service, in the late intended Expedition against *Canada*; which Memorial, with my Letter to Mr. Secretary *Willard*, accompanying it, dated the 11th of *January* 1749, is now in the Secretary’s Office.

“ I may likewise observe to you, that the late Grant of Ordnance-Stores, is very much owing to my personal Solicitation of it, and being actually upon the Spot when it was obtained.

“ And that in general, I us’d my best Endeavours to serve the Interests of the Province, in every Article recommended to my Care by the General Court in Mr. Secretary *Willard*’s Letter, sent to me by their Order; and upon all other Occasions within my Power, during my Absence.

“ When you take all these Circumstances, *Gentlemen*, into your Consideration, I doubt not you will think it reasonable to make me such a Grant, as that I may not suffer in my private Interest, by Means of my Regard and Attention to the Interests of the Province.

“ *Gentlemen*, Having already laid before you a great Variety of Business, whatever other Matters I have to propose and recommend to you in the Course of this Session, I shall communicate to you by Messages.

Council-Chamber, December  
5th 1753.

W. SHIRLEY.

Ordered, That the Consideration of His Excellency’s SPEECH, be refer’d, ’till to Morrow Morning eleven o’Clock.

Then the House adjourn’d ’till to Morrow Morning ten o’Clock.



Jovis 6. Die Decembris, A. D. 1753.

MR. Secretary brought down the Papers referred to in His Excellency's SPEECH : Which were read.

Report on  
York Excise.

The Committee appointed to Farm out the Excise for the County of York, reported thereon.

Read and *Ordered*, That the above Report be accepted, and that the Accompt be allowed, and that the Sum of *two Pounds thirteen Shillings and four Pence* be allowed and paid the said Committee accordingly.  
Sent up for Concurrence.

A Petition of *Robert Auchmuty* of Boston, praying Liberty to sell Lands, for the Reasons mentioned.

Petition of  
*Robert Auchmuty*.

Read and committed to *Samuel White*, Esq; Capt. *Joseph Williams*, and Capt. *Samuel Livermore* ; they to report what is proper for the Court to do thereon.

The Accompt of the Treasurer for the County of *Barnstable*, was read and committed to the Committee on County-Treasurers Accompts.

*Barnstable*  
County Treasurers Account  
committed.

A Petition of *Benjamin Read*, Guardian to *Samuel Esterbrooks*, a Minor, praying Liberty to sell the Lands mentioned in the Petition, for the Reasons mentioned.

Petition of  
*Benj. Read*.

Read and *Ordered*, That the Prayer of the Petition be granted, the Petitioner first giving sufficient Security to the Judge of Probate for the County of *Middlesex*, to apply the Proceeds of said Sale to the Use of said Minor.  
Sent up for Concurrence.

*Voted*, That the Proceedings of the Commissioners with the Eastern Indians of the *Penobscott* and *Norridgewock* Tribes, in their late Conference with them, be printed.

Order for  
printing the  
Conference.

His Excellency's SPEECH, according to the Order of the Day, was read again. And thereupon,

*Voted*, That Col. *Otis*, Col. *Worthington*, Col. *Lawrence*, *Samuel Welles*, and *James Allen*, Esq; with such as the honourable Board shall join, be a Committee to take under Consideration that Part of His Excellency's SPEECH respecting the Boundary Line between this Government and the Government of *New-York*.

Committees  
several Para-  
graphs in His  
Excellency's  
Speech.

Sent up for Concurrence.

*Voted*, That Mr. Speaker, *Samuel White*, Esq; Mr. *Samuel Witt*, *John Tasker*, Esq; and Mr. *William Fletcher*, with such as the honourable Board shall join, be a Committee to take under Consideration that Part in His Excellency's SPEECH respecting Forts and Garrisons.

Sent up for Concurrence.

*Voted*, That Mr. Speaker, Col. *Worthington*, *James Allen*, Esq; Col. *Otis*, and Mr. *William Fletcher*, with such as the honourable Board shall join, be a Committee to take under Consideration that Part in His Excellency's SPEECH respecting the Western Indians.

Sent up for Concurrence.

*Voted,*

*Voted*, That Col. *Lawrence*, Mr. *John Golasherry*, Capt. *Nichels*, Col. *Buckminster*, Mr. *Newball*, and Mr. *Fletcher*, be a Committee on that Part of His Excellency's SPEECH respecting the Encouragement for raising Wheat within this Province, and report to the House at soon as may be.

Petition of  
*William*  
*Moulton* bro't  
down.

*James Minot*, Esq; brought down a Petition of *William Moulton*, and others, Inhabitants of the Town of *Ipswich*, with the Answer of *Daniel Potter*, and others, with a Vote of Council, *viz.* In Council Dec. 6th 1753. Read again, together with the Answer of the Proprietors of Mills on *Mile-Brook*, and Ordered, That this Petition be dismiss'd, in as much as there is sufficient Remedy provided in Law for the Petitioner.

Sent down for Concurrence.

Read and concur'd.

Treasurer di-  
rected.

Ordered, That the Province Treasurer be directed to lay before this House, the State of the Treasury : And that the Commissary General be also directed to lay before them an Estimate of the current Charges of the Year.

Adjournment  
of *Bristol*  
Court.

Whereas by Law the Court of General Sessions of the Peace and Inferiour Court of Common Pleas for the County of *Bristol*, was to have been holden on the second Tuesday of December Instant, and many concerned in said Courts, are Members of the General Court, which it is probable will be then Sitting :

Therefore,

Ordered, That the said Courts of General Sessions of the Peace and Inferiour Court of Commons Pleas, be and hereby are Adjourned to the first Tuesday of *March* next : And all Officers and others concerned in said Courts, are to conform themselves accordingly : And all Processes and other Matters and Things depending in said Courts, and which are to be heard and tried and proceeded on at said Term, shall be heard tried and proceeded upon, on the last Tuesday of *January* next : And the Justices of the said Courts, and all Officers and others concerned, are hereby required to conform themselves accordingly.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Ueneris 7. Die Decembris, A. D. 1753.**

Committee  
on *Salisbury*  
Petition.

*Voted*, That Col. *Bradford*, *Samuel White*, Esq; and Mr. *Freeman*, with such as the honourable Board shall join, be a Committee to take under Consideration the Petition of the Inhabitants of *Salisbury*, and report to this Court what is proper to be done thereon.

Sent up for Concurrence.

Petition of  
*Robert Eames*.

A Petition of *Robert Eames*, read and committed to the Committee on the Petition of the Inhabitants of *Salisbury*.

Petition of  
*Jonath. Blood*.

A Petition of a Number of Inhabitants of the northerly Part of *Concord*, &c. signed *Jonathan Blood*, and others.

Read and Ordered, That the Petitioners serve the adverse Party with a Copy of this Petition, that they shew Cause, if any they have, on Wednesday the 12th Instant, why the Prayer thereof, should not be granted.

Sent up for Concurrence.

A Petition of *William Peabody*, praying an Allowance for Billetting &c.  
 Read and committed to Mr. *Foster*, *Henry Gibbs*, Esq; and Capt. *Newball*, to consider and report what is proper for this Court to do thereon. Petition of  
*Wm. Peabody*.

A Petition of *Moses Hoit*, a sick and wounded Soldier, praying for further Relief. Petition of  
*Moses Hoit*.

Read and committed to Mr. *Greenleaf*, *Josias Bucknam*, Esq; and Mr. *Witt*, to consider and report what is proper for this Court to do thereon.

A Petition of *Vincent Shettleworth*, a sick Soldier, praying for Relief. Petition of  
*Vincent Shettleworth*.  
 Read and committed to Col. *Buckminster*, Mr. *Porter*, and *Josias Bucknam*, Esq; to report what is proper for this Court to do thereon.

*Eleazer Porter*, Esq; brought down the Petition of *Robert Hooper*, Esq; praying his Farm may be laid to *Beverly*, for the Reasons mentioned. Pass'd in Council, viz. In Council December 7th 1753. Petition of  
*Robert Hooper*,  
bro't down.  
 Read again, together with the Answer of the District of *Danvers*, and Ordered, That the Petition be dismiss'd. Sent down for Concurrence.  
 Read and concur'd.

A Petition of *Samuel Mobo* and other *Punkapaug* Indians, setting forth grievous Complaints against the Proceedings of *Samuel Miller* and *John Shepard*, Esqrs; Guardians to said Indians. With a Vote of Council thereon, viz. In Council December 7th 1753. Petition of  
*Punkapaug*  
Indians.  
 Read and Ordered, That the Complainants serve the within named *Samuel Miller*, and *John Shepard*, Esqrs; with a Copy of this Petition, that they make Answer thereto on Friday the 14th Instant.

Sent down for Concurrence.

Read and concur'd.

The Petition of *Thomas Fletcher*, praying to be let into the Law again, with the following Vote of Council thereon, viz. In Council December 6th 1753. Petition of  
*Tho. Fletcher*  
bro't down.  
 Read again, together with the Answer of *Joshua Loring* and *Joseph Royal*, and Ordered, That *Samuel Danforth* and *Andrew Oliver*, Esqrs; with such as the honourable House shall join, be a Committee to take the Petition and the Answer thereto, under Consideration, and report what they judge proper for this Court to do thereon.  
 Sent down for Concurrence.

Read and concur'd, and *Samuel White*, *James Allen*, and *Samuel Welles*, Esqrs; are joined in the Affair.

A Petition of *Benjamin Davis*, praying for Encouragement for the making of Indigo. Petition of  
*Oliver Ellis*,  
bro't down.

Read and Ordered, That *Samuel Welles*, Esq; Col. *Otis*, and Col. *Worthington*, with such as the honourable Board shall join, be a Committee to take under Consideration this Petition, and report what may be proper for this Court to do thereon. Petition of  
*Benj. Davis*.

A Petition of *Samuel Livermore*, Esq; praying the Judge of Probate for the County of *Middlesex*, may be impowred to take Bond of *Thaddeus Bowman*, instead of the Petitioner, and discharge him of his Bond, wherein he is bound with *Sybil Woolson*, Administratrix on the Estate of *Isaac Woolson*, for the Reasons mentioned. Petition of  
*Samuel Livermore*, Esq;



Memorial of *James Minot*, Esq; brought down the Memorial of *Timothy Prout*, Esq; with the Vote of Council thereon.  
*Timothy Prout*, Esq; Read and Ordered, That the Petition lie on the Table.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Sabbati 8. Die Decembris, A. D. 1753.

Report on  
*Plymouth Ex-*  
*cise.*

*Isaac Royall*, Esq; brought down the Report of a Committee for Farming the Excise of spirituous Liquors for the County of *Plymouth*.

Read and accepted, and thereupon Ordered, That the Sum of *three Pounds ten Skillings*, be paid out of the publick Treasury to the Committee, in full for their Time and Expences in the said Sale.

Sent up for Concurrence.

Petition of  
 first Parish in  
*Cambridge*  
 bro't down.

*John Otis*, Esq; brought down the Petition of the first Parish in *Cambridge*. Pass'd in Council, viz. In Council *December 7th 1753*.

Read and Ordered, That the Petitioners serve the Select-Men or Town-Clerks of the Towns of *Charlestown* and *Watertown*, and also the Owners of Estates in those Towns, which the Petitioners pray may be annexed to the first Parish in *Cambridge*, with Copies of this Petition, that they shew Cause, if any they have, why the Prayer thereof should not be granted, and the Limits of said Parish and Town of *Cambridge*, be extended as therein prayed for, or mentioned in the Writing subjoined thereunto.

Sent down for Concurrence.

Read and concur'd with the Amendment at A, insert —on *Wednesday the 26th Currant*.

Sent up for Concurrence.

Petition of  
*Enoch Titcomb*  
 bro't down.

*James Minot*, Esq; brought down a Petition of *Enoch Titcomb* of *Newbury*, praying for a Licence to Retail strong Liquors in said Town. Pass'd in Council, viz. In Council *December 8th 1753*. Read and Ordered, That the Prayer of the Petition be so far granted, as that the Court of General Sessions of the Peace for the County of *Essex*, at their next Sessions, be and hereby are impowred, if they see Cause, to grant the Petitioner a Licence to retail strong Liquors, he first obtaining a Recommendation from the Select-Men of the Town of *Newbury*, for that Purpose, the Time for granting Licences being elapsed notwithstanding.

Sent down for Concurrence.

Read and concur'd.

Vote of  
 Council bro't  
 down.

*James Minot*, Esq; brought down the following Vote of Council, viz. In Council *December 8th 1753*. Voted, That *Benjamin Lynde*, *John Cushing*, *Thomas Hutchinson*, and *Stephen Sewall*, Esqrs; with such

as the honourable Board shall join, be a Committee to take under Consideration the printed Bill, Intituled *An Act for ascertaining the Descent of Real Estates &c.* and make Report what Amendment they think necessary to be made thereon. Sent down for Concurrence.

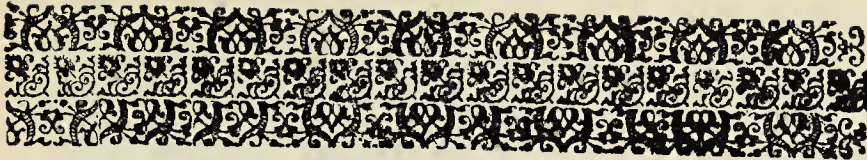
Read and concur'd, and Mr. *Welles*, Col. *Otis*, Col. *Worthington*, Mr. *Nathanael Russell*, and *Henry Gibbs*, Esq; of *Salem*, are joined in the Affair.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.









# VOTES

Of the House of Representatives.

\*\*\*\*\*

Lunæ 10. Die Decembris, A. D. 1753.

*Liver Partridge*, Esq; was chosen Clerk of the House, *pro Oliver Partridge*, Esq; *Tempore*, and Sworn to the faithful Discharge of that Trust. *chosen Clerk.*

The Petition of *Josiah Loomis* and others, was read and committed to the Committee on the first and second Paragraphs of His Excellency's SPEECH. *Petition of Josiah Loomis.*

A Petition of *George Robinson* of *Taucunnoch*, praying the Consideration of this Court, for the Reasons mentioned. *Petition of George Robinson.*

Read and committed to the Committee appointed on the first and second Paragraphs of His Excellency's SPEECH.

A Petition of *Henry Berry* of *Boston*, as entred in *June* last. Read again, and Voted, That the Petition be revived, and that the Petitioner serve the adverse Party *Jonathan Foster*, with a Copy of the Petition, that he shew Cause, if any he hath, on Wednesday the 26th Day of *December* Currant, why the Prayer thereof should not be granted. *Petition of Henry Berry.*  
Sent up for Concurrence.

*John Otis*, Esq; brought down the Petition of the *Mashpee* Indians, with the Vote of Council thereon. Pass'd in Council, *viz.* In Council *Dec. 10th 1753.* Read and Ordered, That the Petitioners serve *James Otis*, Esq; one of the Guardians referred to in the Petition, that so he (with any other of the Guardians that may be in Town) give Answer to the Petition, on Thursday next the 13th Currant. *Petition of Mashpee Indians bro't down.*

Sent down for Concurrence.

Read and concur'd with the Amendment at A. *viz.* — That the Petitioners serve the Guardians of the said Indians with a Copy of the Petition, that they give Answer the 27th of December Currant.

Sent up for Concurrence.

A Petition of *James Otis*, Esq; praying that his Licence for Retailing spirituous Liquors in the Town of *Barnstable*, may be transferred to his Son *Joseph Otis*, for the Reasons mentioned. *Petition of James Otis, Esq;*

F f

Read

Read and Ordered, That the Prayer of the Petition be so far granted, that the Court of General Sessions of the Peace for the County of *Barnstable*, be and hereby are authorized and impowred, if they think fit, to Licence *Joseph Otis* of *Barnstable*, as a Retailer of spirituous Liquors, he first obtaining the Approbation of the Select-Men of the Town of *Barnstable*. Sent up for Concurrence.

Adjournment  
of Plymouth  
Court.

*Whereas by Law the Court of General Sessions of the Peace and Inferiour Court of Common Pleas for the County of Plymouth, was to have been holden on the third Tuesday of December Instant ; and many concerned in said Courts, are Members of the General Court ; which it is probable will be then Sitting :*

Therefore,

Ordered, That the said Courts of General Sessions of the Peace and Inferiour Court of Common Pleas, be and hereby are Adjourned to the first Tuesday of *March* next : And all Officers and others concerned in the said Courts, are to conform themselves accordingly : And all Procceses and other Matters and Things depending in said Courts, and which are to be heard tried and proceeded upon at said Term, shall be heard tried and proceeded upon, on the first Tuesday of *March* next : And the Justices of the said Courts and all Officers and others, are hereby required to conform themselves accordingly.

Sent up for Concurrence.

The Treasurer, according to the Order of the House, laid a State of the Treasury upon the Table.

Petition of  
Treasurer  
Gray.

A Petition of *Harrison Gray*, Esq; Province Treasurer, shewing that the late Treasurer, in the Year 1743, issued his Execution against *James Bardeen* of *Middleborough*, a defective Constable, for the Sum of *forty Pounds eight Shillings and eleven Pence*, middle Tenor, which he had a Warrant to collect in the Year 1740, and that by his Warrant he had Liberty to collect middle Tenor Bills at the Rate of Three for One, and that in the Year 1742, middle Tenor Bills, by a Resolve of this Court, was raised to four Times the Value of old Tenor Bills ; and that the Sheriff of the County of *Plymouth*, in *October* last, sent to the Treasury *one Hundred and twenty one Pounds six Shillings and nine Pence* in old Tenor Bills, which your Petitioner apprehended he could not receive, consistent with his Duty ; praying the Direction of this Court in this and similar Cases.

Read and committed to Col. *Partridge*, Mr. *Fletcher*, and Col. *Otis*, to consider and report thereon.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Martis 11. Die Decembris, A. D. 1753.**

Petition of  
Part of Gloucester  
bro't  
down.

*John Otis*, Esq; brought down the Petition of sundry Inhabitants of that Part of *Gloucester* called the *Cape*, praying to be set off a distinct Parish, for the Reasons mentioned. Pass'd in Council, viz. In Council *December* 7th 1753. Read and Ordered, That the Petitioners serve the Clerk of the first Parish in *Gloucester*, with a Copy of this Petition, that so they may shew Cause, if any they have, on Tuesday the 18th Instant, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Petition of *Barnabas Freeman* of *Harwich*, Guardian to *Thomas* and *Mary King* of said *Harwich*, Minors, praying that he may be enabled to sell several small Parcels of Lands belonging to said Minors, for the Reasons mentioned. Petition of *Barnabas Freeman*.

Read and committed to Mr. *Freeman*, Mr. *Bonney*, and Mr. *Smith*, to consider and report thereon.

A Petition of *Arthur Savage*, praying an Allowance for serving as Clerk, in drawing the Government Lottery. Petition of *Arthur Savage*.

Read and committed to Mr. *Allen*, Mr. *Witt*, and Mr. *Downe*, to consider and report thereon.

The Committee appointed on the Petition of *Moses Hoyt*, reported according to Order. Report on Petition of *Moses Hoyt*.

Read and accepted, and Voted, That the Sum of four Pounds be annually allowed and paid out of the publick Treasury to the Petitioner, for his Subsistence, during his natural Life.

A Plan of two Hundred Acres of Land to satisfy a Grant of this Court made to Mr. *John Dennis*, was presented for Allowance. Plan of Land laid out to *John Dennis*.

Read and Ordered, That the Plan be accepted, and the Lands therein delineated and described be and hereby are confirmed to the said *John Dennis*, his Heirs and Assigns for ever, provided the Land exceed not the Quantity of two Hundred Acres, and does not interfere with any former Grant.

Sent up for Concurrence.

A Petition of *Samuel Graves* of *Sunderland*, praying he may be allowed for his taking Care of his Son, who was wounded in Capt. *Hobbs's* Fight with the Indians on the Western Frontiers. Petition of *Samuel Graves*.

Read and committed to Col. *Lawrence*, Mr. *Foster*, and Mr. *Fry*, to consider and report thereon.

A Petition of *Richard Smith* of *Roxbury*, praying he may be allowed for billeting three Men who were put on Board the *Vigilant* Ship of War. Petition of *Rich. Smith*.

Read and committed to Capt. *Joseph Williams*, Capt. *Livermore*, and Mr. *Allen*, to consider and report thereon.

A Petition of *John Worthington*, Esq; Attorney to *Hannah Williston*, who is Guardian to *Noah Williston*, a Minor, praying for Liberty to make Sale of the said *Noah's* Real Estate, in order for his liberal Education. Petition of *John Worthington*, Esq;

Read and committed to Mr. *Moseley*, Col. *Lawrence*, and Mr. *Wells*, to consider and report thereon.

A Petition of *Phineas Pratt*, in Behalf of the Inhabitants of *Bedford*, praying that they may be erected into a separate District &c. Petition of *Phineas Pratt*.

Read and committed to Capt. *Livermore*, Capt. *Candler*, and Mr. *Moseley*, to consider and report thereon.

A Petition of *John Sturtevant* of *Plymouth*, praying his Account may be allowed and paid for Nursing and Attendance of *Hugh McNeal* and *Francis Brimingham*, who were cast away near *Plymouth*. Petition of *John Sturtevant*.

Read and committed to Mr. *James Bowdoin*, Col. *Lawrence*, and Mr. *Stockbridge*, to consider and report thereon.



Petition of  
Select-Men of  
*Pelham.* A Petition of the Select-Men of *Pelham*, shewing that the Town-Officers in said Town chosen in *March* last, are not qualified according to Law, praying that they may be impowred to call a new Meeting for Choice of Town Officers.

Read and committed to Col. *Worthington*, to draw a proper Voice thereon.

Petition of  
*Elisha Freeman* A Petition of *Elisha Freeman*, Agent for the Town of *Rochester*, praying that the Jurisdiction Line between the said Town, and the Town of *Dartmouth*, may be ascertained &c.

Read and Ordered, That the Petitioner serve the Town of *Dartmouth* with a Copy of this Petition, that they shew Cause, if any they have, on the second Tuesday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Petition of  
*Quabbin.* A Petition of the Committee of *Quabbin*, shewing that the Assessors of said *Quabbin*, in the Year 1752, have not made their Parish Rates according to Law.

Read and committed to Col. *Worthington*, Capt. *Candler*, and Capt. *Newhall*, to consider and report thereon.

Memorial of  
Sir *Wm. Pepperrell.* A Memorial of Sir *William Pepperrell*, Bart. praying that he may have an Allowance for his extraordinary Services in the Expedition to *Louisbourg*.

Read and committed to Col. *Otis*, Col. *Lawrence*, Capt. *Candler*, Col. *Bradford*, and Mr. *James Bowdoin*, to consider and report thereon.

Petition of  
*John Wheelwright, Esq;* A Petition of *John Wheelwright*, Esq; praying he may have an additional Allowance for his extra Services as Commissary-General, for the Reasons mentioned.

Read and committed to Mr. *Gibbs*, Mr. *Hunt*, Mr. *Downe*, Mr. *Greenleaf*, and Mr. *Nichols*, to consider and report thereon.

Committee  
on sundry Pe-  
titions.

On a Motion made and seconded by divers Members, Ordered, That Col. *Otis*, Col. *Bradford*, Mr. *Hunt*, Capt. *Candler*, Col. *Worthington*, Mr. *Goldberry*, and Mr. *Stockbridge*, be a Committee to take under Consideration the several Petitions from sundry Soldiers employed in the *Cape-Breton* Expedition, and report what they judge proper for this Court to do for said Petitioners, and others employed in said Expedition.

Petition of  
*Isaac Ephraim.*  
bro't down.

*John Wheelwright*, Esq; brought down the Petition of *Isaac Ephraim* of *Natick*, with the following Vote of Council thereon, viz. In Council December 8th 1753. Read and Ordered, That the Prayer of the within Petition be granted, and that the Petitioner have Liberty (with the Assistance and under the Direction of the Guardians of the Indians in *Natick*) to make Sale of twenty five Acres of his Land, for the most that may be, due Notice being previously given of the intended Sale, the Proceeds of such Sale to be applied by said Guardians for discharging the Petitioner's just Debts, and the Remainder (if any there be) to be improved for the best Advantage of the Petitioner.

Sent down for Concurrence. Read and concur'd.

Petition of  
*Jos. Ephraim*  
bro't down.

*John Wheelwright*, Esq; brought down the Petition of *Joseph Ephraim*. Pass'd in Council, viz. In Council December 8th 1753. Read and Ordered, That the Prayer of the within Petition be granted, and that the Petitioner have Leave (with the Advice and Assistance of the Guardians

dians

dians of the Indians in *Natick*) to make Sale of twenty-five Acres of his Land, to the best Advantage that may be, (after thirty Days publick Notice given of the intended Sale) the Proceeds of which Sale to be apply'd by said Guardians, so far as is necessary, for discharging the Petitioner's just Debts, and his present Relief; the Remainder, if any there be, to be put to Interest, for the Purposes mentioned in the Petition.

Sent down for Concurrence.

Read and concur'd.

### *Post Meridiem.*

A Petition of *Mercy Bradshaw*, of *Medford*, praying she may be licensed to keep a House of publick Entertainment, where her late Husband exercised that Employment. Petition of  
*Mercy Bradshaw.*

Read and Voted, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex*, at their present Sessions, be and hereby are impowred, if they see fit, to grant Licence to the Petitioner, to keep a House of publick Entertainment, where her late Husband exercised that Employment in *Medford*, she first obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *William Palfrey* and others, praying for Liberty to make Sale of the Real Estate of *Philip Audibert*, late of *Boston*, deceased, for the Reasons mentioned. Petition of  
*Wm. Palfrey.*

Read and committed to Mr. *James Bowdoin*, Mr. *Foster*, and Mr. *Gibbs*, to consider and report thereon.

*Daniel Russell*, Esq; brought down the Petition of *Francis Pain* of *Boston*, praying he may have Liberty to bring forward his Appeal at the next Inferiour Court of Common Pleas to be holden at *Boston* for the County of *Suffolk*, on the first Tuesday of *January* next, with the Vote of Council thereon. Pass'd in Council, viz. In Council *December* 11th 1753. Read and Ordered, That the Petitioner serve the adverse Party *Brattle Oliver*, with a Copy of this Petition, that he shew Cause, if any he hath, on Friday the 14th Instant, why the Prayer thereof should not be granted. Petition of  
*Francis Pain*  
bro't down.

Sent down for Concurrence.

Read and concur'd.

A Petition of the Towns of *Braintree* and *Abington*, praying this Court would interpose and determine the Boundary Line between the said Towns. Petition of  
*Braintree* and  
*Abington.*

Read.

And after a large Debate had thereon, The Question was put,  
*Whether the Petition shall be committed to a Committee?*

It pass'd in the Negative.

Then the Question was put, *Whether the Petition shall be dismiss'd?*  
Resolved in the Affirmative.

A Petition of the Select-Men of the Town of *Chelsea*, praying their former Petition may be revived, and the Compassionate Consideration of the Court, on Account of the Small-Pox being brought into said Town by Capt. *Cozens* &c. Petition of  
*Chelsea.*

Read and committed to Mr. *Witt*, Col. *Otis*, Capt. *Newball*, Mr. *Pratt*, and Col. *Lawrence*, to consider and report thereon.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

Mercurii 12. Die Decembris, A. D. 1753.

Report on  
Petition of  
*Arthur Savage*

THE Committee appointed on the Petition of *Arthur Savage*, as entered Yesterday, reported thereon.

Read, and thereupon *Voted*, That the Sum of *three Pounds* be allowed and paid out of the publick Treasury to the Petitioner *Arthur Savage*, in full Consideration for his Service as Clerk to the Managers of the Government Lottery. Sent up for Concurrence.

Petition of  
Mr. *John*  
*Goldberry*.

A Petition of Mr. *John Goldberry*, Representative of the Town of *Wrentham*, praying Liberty to make Sale of the School Lands in said Town, for the Reasons mentioned.

Read and committed to Mr. *White*, Capt. *Richmond*, and Mr. *Bucknam*, to consider and report thereon.

Petition of  
*Benj. Ruggles*.

A Petition of *Benjamin Ruggles* and *Samuel Robinson*, of *Hardwicke*, praying Liberty to make Sale of the School Lands in said Town, for the Reasons mentioned.

Read and committed to Major *White*, Capt. *Richmond*, and Mr. *Bucknam*, to consider and report thereon.

Report on  
Petition of  
*Barnabas Freeman*.

The Committee to whom was referred the Consideration of the Petition of *Barnabas Freeman*, reported according to Order.

Read, and thereupon *Voted*, That the Petitioner be and hereby is impowred to make Sale of the Lands and Meadow mentioned in the Petition, and to execute in due Form of Law, a Deed or Deeds of Conveyance of each and every Piece or Parcel thereof, to such Person or Persons as shall give most for the same, provided he give Bond to the Judge of Probate for the County of *Barnstable*, that the Produce thereof be applied for the Benefit of the Heirs, according to Law, and observing the Directions of the Law respecting the Sale of Intestate Estates. Sent up for Concurrence.

Order relating  
to Pelham Offi-  
cers.

*Whereas the Town of Pelham in the County of Hampshire, when they choose their Officers to the respective Offices in said Town in March last, omitted administering to them the Oath appointed by the Law of this Province of the 22d of his present Majesty's Reign respecting Bills of Credit of the Neighbouring Governments, appointed to be taken by such Officers; by Means whereof the several Offices in said Town are vacant; and thereby great Inconveniences and Difficulties have arisen to said Town, which cannot be remedied but by the Aid and Interposition of this Court: Therefore,*

Ordered, That *Eleazer Porter*, Esq; be directed and is hereby impowred to issue his Warrant, directed to some Inhabitant of said Town, requiring him to warn and give Notice to the Inhabitants of said Town, qualified by Law to vote in Town Affairs, to assemble themselves together at such Time & Place in said Town as by said Warrant shall be appointed, to make Choice of such Officers for said Town, as shall be necessary, and according to Law ought to be chosen yearly, for transacting the Affairs of said Town; and the said Inhabitants being so met, are hereby impowred to make Choice of such Officers; and such Officers so chosen (having first taken the Oath aforesaid,) and the Oaths of their respective Offices, shall have like Power in their respective Offices, as by Law they would have had on their being chosen according to the Direction of the Law in the Month of *March*, and qualified as aforesaid. Sent up for Concurrence.

*John*



*John Hill*, Esq; brought down the Papers respecting *Natick Meeting-House*, as entred the 12th of *September* last, with the following Vote of Council, viz. In Council *December* 12th 1753. Read and Ordered, That *John Quincy*, Esq; be of the Committee in the Room of *Joseph Pynchon*, Esq; who is absent.

Papers referring to *Natick* bro't down.

Sent down for Concurrence.

Read and concur'd.

A Bill Intituled *An Act in Addition to an Act made and passed in the present Year of his Majesty's Reign Intituled An Act for the more easy Partition of Lands and other Real Estate given by Will and held in Common and Undivided among the Devisees.* Read a first Time. And

Order on Bills.

Ordered, That the Bill have a second Reading at four o'Clock Afternoon.

A Bill Intituled *An Act to prevent Clandestine Sales of Vessels with their Cargoes.* Read a first Time. And

Ordered, That the Bill have a second Reading at three o'Clock Afternoon.

A Petition of *Samuel Cooke* of *Blanford*, praying Liberty to bring forward his Writ of Review with *Noah Ashley*, Esq; for the Reasons mentioned.

Petition of *Samuel Cooke*.

Read, and the Question was put, *Whether the Petition shall be sustained?* It pass'd in the Negative.

A Petition of *Jane Scammell* and *Alexander Scammell*, Executors of the last Will of *Samuel Scammell*, late of *Mendon*, deceased, praying Liberty to make Sale of Part of the Real Estate of said *Samuel*, lying in *Boston*, for the Reasons mentioned.

Petition of *Jane Scammell* &c.

Read and committed to Mr. *Gibbs*, Mr. *Livermore*, and Mr. *Tyler*, to consider and report thereon.

*Benjamin Lincoln*, Esq; brought down the Petition of the Inhabitants of the northerly Part of *Concord*, praying to be erected into a Town or District, with a Vote of Council thereon. Pass'd in Council, viz. In Council *December* 12th 1753. Read again, together with the Answer of the Select Men of the Town of *Concord*, and Ordered, That *Benjamin Lynde*, and *Samuel Watts*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and report what they judge proper for the Court to do thereon.

Concord Petition bro't down.

Sent down for Concurrence.

Read and concur'd, and Capt. *Livermore*, Major *Coolidge*, and Col. *Lawrence*, are joined in the Affair.

A Petition of *Samuel Milberry* and *Mary Norwood*, Administrators of the Estate of *Gustavus Norwood*, late of *York*, deceased, praying Liberty to sell the whole of the Real Estate which belonged to the said *Gustavus*, for the Reasons mentioned.

Petition of *Samuel Milberry* &c.

Read and committed to Capt. *Prebble*, Mr. *Moseley*, and Mr. *Stevens*, to consider and report thereon.

A Petition of the Select-Men of the Town of *Dighton*, representing they have no Constable in said Town, and praying they may be empowered to direct their Warrants for calling Town Meetings, to some suitable Persons.

Petition of Select-Men of *Dighton*.

Read and committed to Capt. *White*, Col. *Richards*, and Capt. *Buckminster*, to consider and report thereon.

Post

*Post Meridiem.*

Petition of  
*Deborah Rock-*  
*wood* bro't  
down.

*John Cushing*, Esq; brought down the Petition of *Deborah Rockwood*, with a Vote of Council thereon. Pass'd in Council, viz. In Council *December* 12th 1753. Read and Ordered, That the Prayer of the within Petition be granted, and that the Petitioner in her Capacity as Administratrix, be and hereby is fully impowred to make Sale of the Lands within mentioned, and to execute a good Deed or Deeds of Conveyance to such Person or Persons as shall give most for the same, for the Purposes within mentioned, she giving Bond with sufficient Sureties to the Judge of Probate for the County of *Worcester*, for the Money arising by such Sale. Sent down for Concurrence.

Read and concur'd.

A Bill Intitl'd *An Act in Addition to an Act for the more easy Partition of Lands &c.* Read a second Time.

And the Question was put, *Whether it should have a third Reading?* It pass'd in the Negative.

Petition of  
*Tabitha Hasey*  
bro't down.

*John Cushing*, Esq; brought down the Petition of *Tabitha Hasey*, with a Vote of Council thereon. Pass'd in Council, viz. In Council *December* 12th 1753. Read and Ordered, That the Prayer of this Petition be granted, and that the Petitioner be and hereby is impowred to make Sale of the Lands therein mentioned, with the Advice of Mr. *Thomas Wheeler* of *Worcester*, and to execute a good Deed or Deeds of Conveyance to such Person or Persons as shall give most for the same; provided it will sell for more than the Money due to *Benjamin Earle*, mentioned in the Petition; provided also, that out of the Money arising by said Sale, said *Earle's* Debts be first and immediately paid, she giving Bond with sufficient Sureties, to the Judge of Probate for the County of *Worcester*, for duly accounting for the Overplus, if any be, more than the Lands are Mortgaged for.

Sent down for Concurrence.

Read and concur'd.

Report on  
Petition of  
*Sarah Allen*.

The Committee appointed on the Petition of *Sarah Allen* of *Bridge-water*, reported according to Order.

Read and accepted, and thereupon Ordered, That the Petitioner be and hereby is impowred in her said Capacity, to make Sale of the Premises for the most they will fetch, and to make and execute a good and sufficient Deed or Deeds thereof in the Law, the said Petitioner attending the Directions of the Law, in notifying the Sale thereof, and giving sufficient Security to the Judge of Probate for the County of *Plymouth*, that the Proceeds arising by said Sale, be forthwith put to Interest and improved for the Benefit of the aforesaid Son and Heirs of the said *Josiah Allen*, saving and reserving one third Part only of the annual Income to the aforesaid Widow, during her natural Life, instead of her Right of Dower or Thirds in said House and Lands.

Sent up for Concurrence.

A Bill Intitl'd *An Act to prevent Clandestine Sales of Vessels with their Cargoes.* Read a second Time, and Ordered, That the Bill be re-committed to make the proposed Amendments.

Report on  
Petition of  
*John Sturte-*  
*vant*.

The Committee appointed on the Petition of *John Sturtevant*, as entred the 11th Currant, reported according to Order.

Read

Read and accepted, and thereupon *Voted*, That there be allowed and paid out of the publick Treasury the Sum of *thirty Pounds eighteen Shillings & six Pence*, in full Discharge of the Petitioner's Accompt.  
Sent up for Concurrence.

The Committee on the Petition of *Samuel Graves*, as entred the 11th Instant, reported. Report on  
Petition of  
*Samuel Graves*

Read and accepted, and thereupon *Voted*, That there be allowed and paid out of the publick Treasury the Sum of *sixteen Pounds* to the Petitioner *Samuel Graves*, in full Satisfaction for his Trouble and Expence in taking Care of his Son *Samuel Graves, Jun.* who was wounded by the Enemy in Capt. *Hobb's* Fight.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

### **Jovis 13. Die Decembris, A. D. 1753.**

*John Otis*, Esq; brought down the Petition of *James Chandler*, and others, Inhabitants of the northerly Part of *Concord*, as entred the 13th of *September* last, and referred. Pass'd in Council, viz. In Council *December* 13th 1753. *Ordered*, That this Petition, together with the Answer, and other Papers accompanying the same, be referred to the same Committee, with the Petition of *Jonathan Blood*, and others, Inhabitants of the northerly Part of *Concord*. Petition of  
*James Chandler*,  
bro't down.

Sent down for Concurrence. Read and concur'd.

*John Otis*, Esq; brought down the Petition of *Jonathan Eaton* of *Reading*, Administrator on the Estate of *Zechariah Nichols*, deceased, with the Vote of Council thereon. Pass'd in Council, viz. In Council *December* 12th 1753. Read and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is impowred to make Sale of the Land abovementioned, in his Capacity as aforesaid, and to execute in due Form of Law a good and sufficient Deed or Deeds of Conveyance to such Person or Persons who shall give most for the same; he observing the Rules and Directions of the Law of this Province respecting the Sale of Real Estates, provided he give sufficient Caution to the Judge of Probate for the County of *Middlesex*, to be accountable for the Produce thereof for the Purposes above-mentioned. Petition of  
*Jonath. Eaton*  
bro't down.

Sent down for Concurrence.

Read and concur'd with the Amendment at A, viz. — *he first obtaining the Consent of the Heirs of James Bowdoin, Esq; deceased.*

Sent up for Concurrence.

The Committee on the Petition of *Benjamin Ruggles* and *Samuel Robinson*, Agent for the Town of *Hardwicke*, reported. Report on  
Petition of  
*Benj. Ruggles*.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that the Town of *Hardwicke*, be and hereby are enabled and impowred to make Sale of the School Lands therein mentioned, for the most they well fetch, and to make and execute a good Deed or Deeds of the same, first giving thirty Days Notice in the said Town of *Hardwicke*, of the Time and Place of Sale, provided also that the Money arising by the said Sale, be well and sufficiently secured in the said Town, and the Principal always kept good, and the

H h

Interest



Interest only to be applied towards the Support of a School in said Town, and that neither Principal or Interest be applied for any other Use.  
Sent up for Concurrence.

Report on  
Petition of  
Mr. *John*  
*Goldberry.*

The Committee on the Petition of Mr. *John Goldberry*, praying Liberty to make Sale of the Lands in *Wrentham*, as entred the 12th Instant, reported.

Read and accepted, and thereupon *Voted*, That the said Town of *Wrentham*, be and hereby are enabled and impowred to make Sale of the School Lands mentioned in the Petition, for the most the same will fetch, and to make and execute a good and sufficient Deed or Deeds of the same, first giving thirty Days Notice ( in the said Town of *Wrentham*) of the Time and Place of Sale, provided also that the Money arising by said Sale, be well and sufficiently secured in the said Town, and the Principal always kept good, and the Interest only to be applied towards the Support of the School in said Town, and that neither the Principal or Interest, be applied to any other Use.

Sent up for Concurrence.

Petition of  
*James Wright.*

A Petition of *James Wright*, Attorney to *Benjamin Starr*, praying for an Equivalent in the Province unappropriated Lands, for seventy Acres and twenty Perch of Land (taken into the Township of *Nipischoog*) Part of a Grant laid out to Capt. *Weld*, for the Reasons mentioned.

Read and committed to Mr. *Allen*, Col. *Worthington*, and Mr. *Nichols*, to consider and report thereon.

Petition of  
*Thankful Gle-  
son.*

A Petition of *Thankful Gleason*, Administratrix on the Estate of *Ebenezer Gleason*, late of *Framingham*, deceased, praying Liberty to make Sale of a Right of Land in *New-Framingham*, for the Reasons mentioned.

Read and committed to Col. *Buckminster*, Capt. *White*, and Col. *Lawrence*, to consider and report thereon.

Report on  
Petition of  
*Vincent Shet-  
tleworth.*

The Committee appointed to take under Consideration the Petition of *Vincent Shettleworth*, reported.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be so far granted, as that the said *Vincent Shettleworth*, have and receive out of the publick Treasury, the Sum of *four Pounds* for the Year past (including the *thirteen Pounds* old Tenor, now due to him, according to the former Grant of the General Court) and that for the future the Petitioner be allowed the Sum of *four Pounds* annually, as a Pension, until this Court shall otherwise order ; and that the said Sums as they become due, be paid into the Hands of *Eleazer Metcalf* of *Wrentham*, Miller, for the Use of the Petitioner ; and by him to be paid to the Petitioner from Time to Time, as he shall stand in Need thereof.

Sent up for Concurrence.

Report on  
Petition of  
*Robert Eames.*

The Committee appointed on the Petition of *Robert Eames*, as entred the 12th Instant, reported.

Read and accepted, and *Voted*, That there be allowed and paid out of the publick Treasury the Sum of *three Pounds*, in full Consideration of the Services and Suffering of his Son, as mentioned in the Petition.

Sent up for Concurrence.

A Memorial of *Oliver Partridge* of *Hatfield*, Esq; representing that he hath laid out eight Hundred Acres of Land, on the Road lately cut by Order of the Government from *Northampton*, towards *Albany*, in order for two Settlements, for the Accommodation of Travellers.

Memorial of  
*Oliver Par-*  
*tridge*, Esq;

Read and committed, together with a Plan of said Lands, to Col. *Worthington*, Mr. *Witt*, and Capt. *White*, to consider and report thereon.

On a Motion made and seconded, Ordered, That Mr. *Welles*, and Mr. *Fletcher*, be added to the Committee appointed on the Bill for the preventing Clandestine Sales of Vessels and their Cargoes.

### *Post Meridiem.*

*James Minot*, Esq; brought down the Petition of *Nathanael Sparhawk*, Esq; as entered the 13th of *September* last, with a Vote of Council thereon. Pass'd in Council, viz. In Council *December* 12th 1753. Read again, and it appearing that the adverse Party had been duly served with a Copy of this Petition, and no Answer given in :

Petition of  
*Nath. Spar-*  
*hawk*, Esq;  
bro't down.

Therefore Ordered, That the Prayer of the Petition be granted, and the Execution against the Petitioner therein referred to, is accordingly stayed until the next Term of the Superiour Court to be held at *Boston*, for the County of *Suffolk*, and until Judgment be passed upon the Petitioner's Action of Review then to be brought, provided the Petitioner give sufficient Security to the Sheriff of the County of *Suffolk*, to respond the Sum that may be finally recovered of him, with Interest for the same, from the 13th of *September* last, to the Time of Payment.

Sent down for Concurrence. Read and concur'd.

*George Leonard*, Esq; brought down the Report of a Committee of both Houses, on the second Paragraph of His Excellency's SPEECH. Signed *Samuel Watts*, per Order.

Committees  
Report on  
Governor's  
Speech.

Which is as follows, viz.

The Committee appointed to take under Consideration the two first Paragraphs of His Excellency's SPEECH, are as yet able to report only on that Paragraph relating to the Trade between the Inhabitants of this Government and of *Connecticut* : And as the Government of *Connecticut* have express'd their Readiness to confer upon Measures to facilitate and encourage the same ; and have appointed a Committee to treat with a Committee of this Government on that Head ; This Committee are of Opinion, that those five Gentlemen, who were appointed to that Service at the last Session of this Court, or any three of them, should proceed upon the Business : But in as much as there is no Prospect of their meeting the *New-York* Commissioners upon another Affair, they were appointed to negotiate with them, as was expected when the said Committee were appointed to repair to *Middleton* : This Committee are of Opinion, that it would now be more convenient to meet at *Killingfly*, or at some other Place equally accommodable to the several Gentlemen of the Committee, which they shall agree upon ; the said Meeting to be sometime in *February* next ; and that the Gentlemen appointed in Behalf of this Government, should as soon as may be, advise the Gentlemen appointed by *Connecticut*, of what the Resolutions of this Court may be on this Affair, and agree with them the particular Day and Place of meeting.

Pass'd in Council, viz. In Council *December* 12th. 1753. Read and accepted.

Sent down for Concurrence.

Read and Ordered, That this Report be recommitted to the Committee for their further Consideration. Sent up for Concurrence.

*Eleazer*

Petition of  
Sarab Stan-  
ford bro't  
down.

*Eleazer Porter*, Esq; brought down the Petition of *Sarab Staniford*, as entred the 7th Instant, with a Vote of the honourable Board thereon. Pass'd in Council, viz. In Council December 13th 1753. Read again, with the Answer of *John Calef*, and Ordered, That *George Leonard*, and *Benjamin Lincoln*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties now attending, consider the Petition, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Mr. *Hunt*, Capt. *Chandler*, and Col. *Bradford*, are joined in the Affair.

*John Greenleaf*, Esq; brought down the following Vote of Council, viz. In Council December 12th 1753.

Vote of  
Council bro't  
down.

*It appearing to the Board, that divers of the Temporary Laws which are now in Force, are out of Print, so that a compleat Sett of those Laws cannot easily be obtained :* Therefore,

Ordered, That *John Chandler* and *Thomas Hutchinson*, Esqrs; with such as the honourable House shall join, be a Committee to take this Affair under Consideration, and report what is proper to be done thereon. Sent down for Concurrence.

Read and concur'd, and Col. *Otis*, Col. *Worthington*, and Capt. *White*, are joined in the Affair.

Committee  
for Supply.

On a Motion made and seconded by divers Members, Ordered, That Capt. *White*, Col. *Richards*, Mr. *Fletcher*, Col. *Otis*, and Capt. *Newball*, be a Committee to prepare a Draft of a Bill for the Supply of the Treafury.

Report on  
*Chelsea* Peti-  
tion.

The Committee appointed on the Petition of a Committe of the Town of *Chelsea*, reported according to Order.

Read, and after a large Debate had thereon, Voted, That the Sum of *One Hundred Pounds* be allowed and paid out of the publick Treafury to the Town of *Chelsea*, in Consideration of the distressing Circumstances and Expences of said Town, in the Time of the late Small-Pox. Sent up for Concurrence.

Report on  
*Quabbin*  
Petition.

The Committee appointed on the Petition of a Committee of the Parish of *Quabbin*, reported the following Vote ; which was read and accepted, viz.

*Whereas the Assessors of the Plantation called Quabbin in the County of Hampshire, chosen in the Year 1752, for assessing the Proportion of the publick Tax set on said Inhabitants for said Year ; proceeded (without being thereto appointed) to assess also on said Inhabitants, the Sum by them granted to their Minister for his Support in that Year, considerable Part of which last Assessment has been collected, but some of said Inhabitants refuse to pay their Proportion hereof ; whereby great Difficulties have arisen to said Inhabitants from the supposed Illegality of said Assessment :* Therefore,

Voted, That on the said Assessors making Oath before the Clerk of said Plantation, or before some Justice of the Peace in said County, that in making said Assessment, they acted faithfully according to the Directions of the Law in apportioning the same on said Inhabitants, that then the said Assessment shall be esteemed valid and effectual, the aforesaid Defect notwithstanding ; and the Collector or Collectors to whom the same Assessments are committed, shall and hereby are authorized



thorized and required to levy and collect the same, as fully & effectually as they ought to have done, if said Assessors had been specially appointed to make said Assessment. Sent up for Concurrence.

The Committee appointed on the Petition of *Jane Scammell* and *Alexander Scammell*, as entred the 12th Currant, reported according to Order. Report on  
Petition of  
*Jane Scammell*  
&c.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that the said *Jane Scammell* and *Alexander Scammell*, be impowred to make Sale of the Premisses mentioned in the Petition, for the most they will fetch, and to execute in due Form of Law, a Deed or Deeds for conveying the same, they to observe the Directions in the Law for the Sale of Real Estates; provided the Petitioners give Bond to the Judge of Probate for the County of *Worcester*, that the Moneys coming by said Sale be forthwith put to Interest for the Benefit of the several Legatees, agreeable to their respective Shares and Proportions thereof, saving and reserving only one third Part of the annual Income thereof to the said *Jane*, during the Term of her natural Life, instead of her Dower in said Estate, pursuant to the Will of the Testator. Sent up for Concurrence.

A Petition of *Benjamin Gooch* of *Biddeford*, praying that the Justices of the General Sessions of the Peace at their next Term, may be allowed to Licence him a Retailer of Spirituous Liquors in said Town, for the Reasons mentioned. Petition of  
*Benj. Gooch*. Read.

And the Question was put, *Whether the Prayer of the Petition should be granted?* It pass'd in the Negative.

Then the Question was put, *Whether the Petition should be dismiss'd?* Resolved in the Affirmative.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Ueneris 14. Die Decembris, A. D. 1753.

*John Greenleaf*, Esq; brought down the Petition of *Abraham Belknap*, of *Natick*, praying for a Licence to Retail strong Liquors, for the Reasons mentioned. Pass'd in Council, viz. In Council *December 13th 1753*. Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the General Sessions of the Peace for the County of *Middlesex*, in their present Session, be and hereby are impowred to grant the Petitioner a Licence to Retail strong Liquors for the present Year, he obtaining the Approbation of the Select-Men of the Town of *Natick* for that Purpose, the Time for granting Licences being elapsed notwithstanding. Petition of  
*Abra. Belknap*,  
bro't down. Sent down for Concurrence.

Read and concur'd with the Amendment at A and B.

Sent up for Concurrence.

A Petition of *Capt. Joseph Browne* of *Sudbury*, in Behalf of himself and Troop, as entred in the Session in *April* last, and referred, praying an Allowance for their Services in the War, for the Reasons mentioned. Petition of  
*Capt. Joseph*  
*Brown*.

Read and committed to *Col. Lawrence*, *Mr. Foster*, and *Col. Buckminster*, to consider and report thereon.

A Petition of *Hannab Underwood* of *Mendon*, praying Liberty to make Sale of certain Lands at *Wiscassett*, for the Reasons mentioned. Petition of  
*Hannab Under-*  
*wood*.

Read and committed to Mr. *Gibbs*, Mr. *Fletcher*, and Mr. *Porter*, to consider and report thereon.

Report on  
Petition of  
*Dighton*.

The Committee appointed to take under Consideration the Petition of the Select-Men of the Town of *Dighton*, as entred the 12th Instant, reported according to Order.

Read and accepted, and thereupon *Ordered*, That the Select-Men of *Dighton*, be and hereby are impowred (when they have Occasion to warn a Town-Meeting for transacting the publick Affairs of said Town) to direct their Warrant to Mr. *George Pitts* of said *Dighton*, requiring him to notify and warn the Inhabitants of said Town; and the said *George Pitts* is hereby impowred and required upon his receiving any Warrant from the said Select-Men, to notify and warn the Inhabitants of said Town accordingly; and that the Meeting held upon such Warnings shall be deemed & held legal, as tho' warned by a Constable legally qualified, agreeable to the Law and Practice in this Province.

Sent up for Concurrence.

On a Motion made and seconded by divers Members;

*Ordered*, That the Consideration of a Grant to His Excellency the Governour, be had on Wednesday next three o'Clock Afternoon.

Committee  
for Lists.

On a Motion made and seconded, *Ordered*, That Capt. *White*, Col. *Cotton*, and Col. *Richards*, be a Committee to make up a List of the Travel and Attendance of the Members of this House, at the two last Sessions of the Court.

Petition of  
*Stoughton* bro't  
down.

*John Greenleaf*, Esq; brought down the Petition of sundry Inhabitants of *Stoughton*, as entred *September* 7th last. Pass'd in Council, viz. In Council *December* 14th 1753. Read again, with the Answer of a Committee of the Town of *Stoughton* to this Petition, and *Ordered*, That *John Hill*, and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition, and other Papers relating thereto under Consideration, and report what they judge proper to be done thereon. Sent down for Concurrence.

Read and concur'd, and Col. *Richards*, Capt. *White*, and Mr. *James Bowdoin*, are joined in the Affair.

Petition of  
*Ezra Smith &c.*  
bro't down.

*John Greenleaf*, Esq; brought down the Petition of *Ezra Smith*, and others of *Stoughton*, as entred the 8th of *June* last. Pass'd in Council, viz. In Council *December* 13th 1753. Read again, together with the Answer of the Committee of *Stoughton*, and *Ordered*, That *John Hill*, and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition & Papers relating thereto, under Consideration, and report what they judge proper to be done thereon. Sent down for Concurrence.

Read and concur'd, and Col. *Richards*, Capt. *White*, and Mr. *James Bowdoin*, are joined in the Affair.

Petition of  
*Samuel Mabo*  
bro't down.

*Isaac Royall*, Esq; brought down the Petition of *Samuel Mabo* and others, Indians, as entred the 7th of *December* Instant. Pass'd in Council, viz. In Council *December* 14th 1753. Read again, and *Ordered*, That the Consideration of this Complaint be referred to Wednesday the 26th Currant, and that the Complainants serve the adverse Party with a Copy thereof as soon as may be, that they may make Answer thereto. Sent down for Concurrence.

Read and concur'd.

*John*

*John Greenleaf*, Esq; brought down the Petition of *Francis Paine*, as entered the 11th of *December* Instant. Pass'd in Council, viz. In Council *December* 13th 1753. Read again, and Ordered, That the adverse Party *Brattle Oliver*, be further allowed until Tuesday the 18th Instant, to make Answer hereto. Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petition of Lieut. *William Peabody*, reported according to Order. Report on  
Petition of  
*Wm. Peabody*.

Read and accepted, and thereupon Voted, That the Prayer of the Petition be so far granted, that the Petitioner be allowed out of the publick Treasury, the Sum of *forty Skillings* for his Expences in his Sickness mentioned in the Petition. Sent up for Concurrence.

Mr. Secretary brought down the following Message from His Excellency: Which he read and laid on the Table.

Gentlemen of the Council and House of Representatives,

*I*N my Speech to you at the opening of this Session, I urged your making Provision for the speedy and effectual Repairs of the several Forts on the Frontiers of this Province, and the furnishing them with suitable Artillery and other Stores of War. Message from  
His Excellen-  
cy:

Since that Time, I have been informed, that the Commissioners for the Interview with the Eastern Indians the last Year, appointed by the Lieut. Governour, then Commander in Chief, agreeable to Instructions received from him, viewed the several Forts in the Eastern Parts, at their Return made Report of the Condition they were then in; the Substance of which is contained in the Schedule I now send you, by which you will find the decay'd and ruinous Condition of those Forts; and it being more than a Year since, we must conclude they are in a much worse Condition now.

Therefore, and in Consideration of the present hazardous Conjuncture of Affairs, as I particularly represented to you in my Speech; I am oblig'd to repeat my Desires to you, that no Time may be lost for putting those Forts into a good Posture of Defence; and in particular, that Care may be taken that the small Arms be good and substantial: And I would further recommend to you, that hereafter Repairs may be made of said Forts from Time to Time on their first Decay, which will save a Charge to the Province, and may prevent their falling into the Hands of the Enemy, upon their being assaulted in their weak and decayed Condition.

And as it is of great Importance that good Interpreters of the Indian Language be retained in the Service of the Province; and as I have been informed that *Walter McFarland*, now Interpreter at *Richmond-Fort*, is very capable of that Business, I hope you will give a sufficient Encouragement for his Continuance therein.

Council Chamber

W. SHIRLEY.

Dec. 14th 1753.

Read, and Ordered, That the foregoing Message from His Excellency, be committed to the Committee appointed on that Part of His Excellency's SPEECH, respecting Fortifications &c. to consider and report thereon. Sent up for Concurrence.

A Petition of *John Amiel* of *Boston*, praying that an Act of this Government may pass for his Naturalization. Petition of  
*John Amiel*.

Read and committed to Col. *Otis*, Mr. *Fletcher*, and Col. *Worthington*, to consider and report thereon. Capt.



Report on  
Supply.

Capt. *White* from the Committee reported a Bill for the Supply of the Treasury.

Which he read in his Place, and then laid it on the Table.

*Ordered*, That the Bill have a second reading at Four o'Clock this Afternoon.

Petition of  
*John Bowden*.

A Petition of *John Bowden* of *Boston*, praying that the Court of General Sessions of the Peace for the County of *Suffolk*, may be authorized to Licence him to retail strong Liquors &c. for the Reasons mentioned.

Read.

And the Question was put, *Whether the Petition should be dismiss'd?*

Resolved in the Affirmative.

Petition of  
*Nelson Finney*.

A Petition of *Nelson Finney* of *Middleborough*, praying for an Allowance for his Cost and Expence for a sick Indian &c. for the Reasons mentioned.

Read and committed to Capt. *White*, Col. *Richards*, and Capt. *Fry*, to consider and report thereon.

Report on  
Petition of  
*Wm. Palfry*.

The Committee on the Petition of *William Palfry*, and others, as entered the 11th Currant, reported according to Order.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that the Petitioners are allowed to make Sale of the House and Appurtenances in King-street in *Boston*, lately belonging to *Philip Audibert*, late of *Boston*, deceased, for the most it will fetch, and to execute a good Deed or Deeds of the same, they observing the Law respecting the Sale of Real Estates, and giving Security to the Judge of Probate for the County of *Suffolk*, that the Proceeds of such Sale shall be applied in the first Place to discharge the Mortgage upon the Premises, and afterward the other just Debts of the said Deceased; and that the Remainder (after the said *Philip* the Son of the Deceased has had his Part Share or Proportion thereof) be put out to Interest by said Guardians, and Interest & Principal applied as Occasion shall require, to the Maintenance and Education of the Minors; and whatever may remain when they shall come of Age, be delivered to the said Minors, according to their respective Shares, all reasonable Charges being first deducted; the said Guardians to be accountable to the Judge of Probates for the Time being of the County aforesaid, for their Proceeding herein. Sent up for Concurrence.

Petition of  
*Mendon*.

A Petition of a Committee of the Town of *Mendon*, praying that this Court would appoint a Committee to settle the Boundary Line between said Town and *Uxbridge*.

Read and *Ordered*, That the Petitioners serve the Town of *Uxbridge*, with a Copy of this Petition, that they shew Cause (if any they have) why the Prayer thereof should not be granted, on the second Thursday of the next Sitting of the Court.

His Excellency's Message to both Houses of this Day was read again, and committed to the Committee appointed upon that Part of His Excellency's SPEECH respecting Fortifications &c. to consider and report thereon.

Sent up for Concurrence.

A Petition of *Josiah Richardson*, in Behalf of himself and about sixty others, who were in the Expedition to *Canada* in the Year 1690, praying for a Township of Land, for the Reasons mentioned.

Read

Read and committed to the Committee upon the Petitions of the *Cape-Breton* Soldiers.

A Petition of *John Ruddock* of *Boston*, praying that he may be allowed the Value of a House built upon *Castle-Island*, by one *Thompson*, which he purchased, and the Government have taken for their Use &c.

Read and committed to Mr. *Fletcher*, Col. *Worthington*, and Col. *Bradford*, to consider and report thereon.

A Bill Intituled *An Act for Supply of the Treasury with the Sum of* Ten Thousand Pounds. *Supply Bill.*

Read a second and a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

The Committee appointed on the Petition of *Samuel Milberry*, as entered the 11th Instant, reported according to Order. *Report on Petition of Sam. Milberry &c.*

Read and accepted, and thereupon Voted, That the Prayer of the Petition be granted, and that the said *Samuel Milberry* and *Mary Norwood*, be and hereby are impowred to make Sale of the Lands mentioned in the Petition, for the most they will fetch, and to execute a Deed or Deeds to such Person or Persons who shall purchase the same, observing the Directions of the Law, with Respect to the Sale of Real Estates; and the Money arising by said Sale be improved in the following Manner, viz. In the first Place to pay the just Debts of the said *Gustavus Norwood*, deceased, and Charges of said Sale, and the Overplus to be let out on Interest for the Benefit of the Heirs of the said *Gustavus*, except one third Part of the yearly Interest of said Money to be for the said *Mary*, during the Term of her natural Life, and that the Petitioners give Bond to the Judge of Probate for the County of *York*, that the Proceeds of the Sale shall be apply'd in Manner aforesaid.

Sent up for Concurrence.

Ordered, That Major *Coolidge* be of the Committee on the Petition of *Sarah Staniford*, in the Room of Mr. *Hunt*, who is absent.

Sent up for Concurrence.

*Isaac Royall*, Esq; brought down the Petition of several Inhabitants of the Town of *Concord*, with a Vote of Council thereon, viz. In Council December 14th 1753. Read and Ordered, That the Petitions and Answers, and other Papers, be refer'd to the next Sitting of the Court. *Concord Petition brought down.*

Sent down for Concurrence.

Read and concur'd.

On a Motion made and seconded by divers Members :

Ordered, That Mr. *Welles*, Col. *Worthington*, and Col. *Otis*, be a Committee to bring in a Bill for the Payment of Officers and Witnesses in Criminal Cases, where the Defendant is acquitted. *Committee for a Bill.*

On a Motion made and seconded, Voted, That Mr. *Gibbs*, and Mr. *Wells*, be added to the Committee on the Petition of *Richard Smith* of *Roxbury*.

*Isaac Royall*, Esq; brought down the Petition of *Ebenezer Feltch*, and others, and the Petition of *John Sawen* and others, and a Petition of sundry Inhabitants of *Natick*, with a Report of a Committee of both Houses thereon. Pass'd in Council, viz. In Council December 14th

*Petition of Eben. Feltch bro't down.*

1753. Read and accepted with the Amendment at A and B, provided the Commissioners for Indian Affairs and the Corporation of *Harvard-College*, shall by a Vote of their respective Bodies signify their Agreement to the uniting the two Societies in *Natick* on the Terms mentioned in the Report. Sent down for Concurrence.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Sabbati 15. Die Decembris, A. D. 1753.

Petition of  
*Sunderland*  
North Parish.

A Petition of the North Parish in *Sunderland*, as entred *September* 6th last. Read again, with the Answer of the Reverend Messieurs *Chauncey* and *Prince*; and Ordered, That the Petition, with the Answer and Papers accompanying, be committed to Mr. *Fletcher*, Capt. *White*, and Mr. *Gibbs*, to consider and report thereon.

Petition of  
*Moody Russell*.

A Petition of *Moody Russell* of *Barnstable*, praying for Liberty to bring forward his Appeal from a Sentence of the Court of General Sessions of the Peace in the County of *Barnstable* &c.

Read and Ordered, That the Petition be dismiss'd.

Petition of  
*Samuel Bradstreet*.

A Petition of *Samuel Bradstreet*, Treasurer of the Town of *Charlestown*, setting forth, there are divers Fines in the Hands of the Military Captains of said Town, which some of them refuse to pay into the Town Treasury according to Law, praying that an Act of this Court may pass to enjoin the Payment thereof &c.

Read and committed to Col. *Otis*, Capt. *White*, and Mr. *Welles*, to consider and report thereon.

Petition of  
*John Robinson*.

A Petition of *John Robinson* of *Dorchester*, praying an Allowance for his Trouble and Expence in the Sickness and Funeral of a poor Indian.

Read and committed to Capt. *Williams*, Col. *Bradford*, and Capt. *Livermore*.

Message to  
and from the  
Board.

Ordered, That Capt. *White* go up with a Message to the honourable Board, to inquire whether any Thing was like to come down this Forenoon.

A Message from the honourable Board by *John Wheelwright*, Esq; informing, that nothing was like to be sent down this Forenoon.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.







# VOTES

Of the House of Representatives.



Lunæ 17. Die Decembris, A. D. 1753.

**Medford** Petition of a Committee of the Town of *Medford*, praying that Part of the Town of *Charlestown*, may be annexed to the Town of *Medford*, for the Reasons mentioned. Petition of Inhabitants of *Medford*.  
**Medford** Read and Ordered, That the Petitioners serve the Town of *Charlestown* with a Copy of this Petition, that they shew Cause, on the second Day of *January* next, if the Court be then Sitting, if not, on the first Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Petition of sundry Inhabitants of *Cambridge*, lying on the Southernly Side of *Charles-River*, praying they may be set off a distinct Parish, for the Reasons mentioned. Petition of Inhabitants of *Cambridge*.

Read and Ordered, That the Petitioners serve the Clerk of the first Parish in *Cambridge* with a Copy of this Petition, that they shew Cause, if any they have, on the second Day of *January* next, if the Court be then Sitting, if not the first Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Petition of *Jonathan Clark*, and others, praying they may be incorporated into a Society by the Name of the *Marine-Society*. Petition of *Jonath. Clark*.

Read and committed to Mr. *Welles*, Capt. *White*, and Mr. *William Bowdoin*, to consider and report thereon.

A Petition of *Sylvanus Barrows* of *Middleborough*, praying that he may bring forward his Action with *Obadiab Dickinson* of *Hatfield*, at the next Superiour Court to be holden in the County of *Hampshire*, for the Reasons mentioned. Petition of *Sylvanus Barrows*.

Read and Ordered, That the Petitioner serve the adverse Party *Obadiab Dickinson*, with a Copy of this Petition, that he shew Cause, (if he hath) on the second Friday of the next Sitting of this Court, why the Prayer thereof should not be granted; provided the Petitioner

L 1

give

give Bond with sufficient Surties, unto the Sheriff of the County of *Plymouth*, to pay with Interest from this Time, the Sum the said *Dickinson* may finally recover against the Petitioner.

Petition of *Samuel White*, Esq; of *Taunton*, praying that the Province Treasurer may be allowed to give him up his Bond as Farmer of Excise for the County of *Bristol*, in the Year 1750, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be granted, and that the Province Treasurer be directed to deliver his Bond to him accordingly.

Report on  
Petition of  
*Sunderland*.

The Committee appointed on the Petition of the North Parish in *Sunderland*, as entred the 7th of *September* last, reported according to Order.

Read and accepted, and thereupon *Ordered*, That the Prayer of the Petition be so far granted, that the Petitioner be allowed to bring in a Bill to erect the said North Parish in *Sunderland* into a separte District, and that there be a Tax of *one half Penny* per Acre laid on the unimproved Lands contained in said Parish for the Term of three Years ; and also that there be added to the next Province Tax that shall be laid on the other Part of said Town of *Sunderland*, the Sum of *thirty one Pounds*, which shall be by the Province Treasurer paid to the Inhabitants of the present northerly Parish in said Town.

Committee  
for a Bill.

On a Motion made and seconded by divers Members :  
*Ordered*, That Col. *Otis*, Col. *Worthington*, and Mr. *Fletcher*, with such as the honourable Board shall join, be a Committee to prepare a Bill further to prevent the Bills of Credit of the other Governments passing within this Province.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Martis 18. Die Decembris, A. D. 1753.**

Vote relating  
to the late  
Treasurer's  
Accounts.

THE Committee appointed the 15th of *June* last, to take an Account of torn and defac'd Bills of Credit, and Government Securities, then in the Hands of the Treasurer, and to consume them to Ashes, reported on the 12th of *September* last ; which was read in the House of Representatives, and accepted, and then *Voted*, That the late Treasurer *William Foye*, Esq; be discharged of the Sums contained in the said Report, as appears by the Journal of the House of Representatives of the 12th of *September*. And whereas it appears that the said Report, with the Vote thereon, was not sent up to the honourable Board for their Concurrence, but was casually omitted : Therefore,

*Voted*, That the Speaker be now directed to send up the same to the honourable Board for their Concurrence.

Petition of  
*Eliza. Libby*.

A Petition of *Elizabeth Libby* of *Falmouth*, praying for Liberty to keep a Tavern in said Town.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace next to be holden in the County of *York*, be impowred, if they see fit, to Li-  
cenco

cence the Petitioner to keep a House of publick Entertainment in said *Falmouth*, the first obtaining the Approbation of the Select-Men of said Town.  
Sent up for Concurrence.

The Committee appointed on the Petition of *James Beutenau* and *William Bowdoin*. Report on  
Petition of  
*Ja. Bouteman,*  
&c.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that the Petitioners in their said Capacity, be and hereby are impowred to make Sale of the Real Estate mentioned in their Petition, for the most they will sell for, and to execute a Deed or Deeds of Sale for passing the Title of the same; and that the Moneys arising by said Sale be let out on Interest for the Benefit of their Wards, and that the said Guardians give Bond to the Judge of Probate for the County of *Saffolk*, for the faithful Performance of their Trust in this Matter.  
Sent up for Concurrence.

*Jabez Fox*, Esq; brought down the Petition of the Town of *Medford*, as entred Yesterday. Pass'd in Council, viz. In Council *December 17th 1753*. Read and concur'd with the Amendment at A. viz. *dele with a Copy*, and insert, --- *together with the Inhabitants of the Lands mentioned in the Petition who have not joined therein with Copies*. Petition of  
*Medford* bro't  
down.

Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petition of *Hannab Underwood*, as entred the 13th Instant, reported according to Order.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be granted, and that the Petitioner, in her Capacity, be and hereby is authorized to make Sale of the Premisses mentioned in the Petition, for the most that may be, and to execute a good Deed or Deeds in the Law of the same; she first observing the Law respecting the Sale of Intestate Estates, and giving Security to the Judge of Probates for the County of *Worcester*, that the Proceeds of such Sale shall be duly applied for the Payment of the just Debts of her late Husband *Joshua Underwood*, deceased; and the Remainder thereof, after the Debts are paid, be put out at Interest, reserving to her own Use as her Right of Dower, one third of the Interest of said Money for the Benefit of the Children, and the Remainder both the Principal and Interest respectively (necessary Charges being first deducted) when they shall arrive at lawful Age, she the said *Hannab* to be accountable to the Judge of Probate for the Time being for the County of *Worcester*, for her Proceeding in the Premisses. Report on  
Petition of  
*Hannab Under-*  
*wood*.  
Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That *Col. Otis*, Mr. *Fletcher*, Capt. *White*, Mr. *Sparhawk*, and Mr. *Witt*, be a Committee to prepare a Bill to subject all the appropriated unimproved Lands in the Province to be taxed. Committee  
on Lands.

An engross'd Bill Intituled *An Act for Supply of the Treasury with the Sum of Ten Thousand Pounds*. Supply Bill  
enacted.

Read and *Resolved*, That the Bill pass to be enacted.

*Sylvanus Bourn*, Esq; brought down the Petition of *Samuel Green* and others of *Malden*, praying that they, with their Estates, may be set off to the North Parish in said Town &c. Pass'd in Council, viz. In Council Petition of  
*Sam. Green &c*  
bro't down.



Council *December 17th 1753.* Read and *Ordered*, That the Petitioner serve the Parish Clerk of the South Parish in the Town of *Malden* with a Copy of this Petition, that they may shew Cause, if any they have, on Wednesday the 26th Currant, why the Prayer thereof should not be granted. Sent down for Concurrence.

Read and concur'd with the Amendment at B.—dele — *Wednesday the 26th Currant*—and insert—*on the first Friday of the next Sitting of this Court*—— Sent up for Concurrence.

Report on  
Petition of  
*John Ruddock.*

The Committee appointed on the Petition of *John Ruddock*, as entered the 14th Currant, reported according to Order.

Read and accepted, and thereupon *Voted*, That the Sum of *six Pounds thirteen Shillings & four Pence*, be granted and paid to the Petitioner *John Ruddock*, in full Consideration for the Building mentioned in the Petition ; or if it be more agreeable to said *Ruddock* to remove the same, as was first intended, that he have Liberty so to do, without his paying any Consideration for the Stuff that was put into the Building which belonged to the Province. Sent up for Concurrence.

Committee  
for a Bill.

On a Motion made and seconded, *Ordered*, That *Capt. White*, *Col. Otis*, and *Capt. Joseph Williams*, be a Committee to bring in a Bill further to provide for poor Indians &c.

### *Post Meridiem.*

Petition of  
*Robert Ball.*

A Petition of *Robert Ball*, Keeper of the Light-House, praying for Allowance, for the Reasons mentioned.

Read and committed to Mr. *Allen*, *Capt. Livermore*, and *Col. Buckminster*, to consider and report thereon.

Report on  
Petition of  
*James Wright.*

The Committee appointed on the Petition of *James Wright*, Attorney to *Benjamin Starr*, as entered the 13th Instant, reported according to Order.

Read and accepted, and thereupon *Voted*, That the said *Benjamin Starr*, have Liberty to survey and lay out one Hundred Acres of the unappropriated Lands of the Province, and return a Plan thereof to this Court in twelve Months for Confirmation, for that Part of a Grant of Land made by this Court some Years since, and now belonging to the said *Benjamin Starr*, by Mistake was laid out in the Township of *Nechawaug*. Sent up for Concurrence.

Petition of  
*Francis Paine*,  
bro't down.

*John Candler*, Esq; brought down the Petition of *Francis Paine*, with a Vote of Council thereon. Pass'd in Council, viz. In Council *December 18th 1753.* Read again, together with the Answer of *Brattle Oliver*, and *Ordered*, That this Petition be dismiss'd.

Sent down for Concurrence.

Read and concur'd.

Petition of  
*New-Casco*,  
bro't down.

*John Candler*, Esq; brought down the Petition of sundry Inhabitants of *New-Casco*, as entered the 7th of *September* last. Pass'd in Council, viz. In Council *December 17th 1753.* Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Inhabitants on the Easterly Side of *Pesumpscot-River*, be set off as a seperate Parish, beginning at *North-Yarmouth* Line near the Sea, and from thence running by the Bay of *Pesumpscot-River*, and thence up said River,

as the Westerly Side of Mr. *James Winslow's* sixty Acre Lot, on which his now Dwelling House stands; and from thence to run a North-west Line to the Head of the Township, including *Mackworth's* Island, *Clapboard* Island, and *Little-Jabeeg*, and as many of the Inhabitants of the first Parish in *Falmouth*, as they shall see Cause, that live on the Westerly Side of *Pesumpscot* River, convenient to said Parish, have Liberty to join with them, with their Estates on which they dwell, within twelve Months, they transmitting into the Secretary's Office, a List of their Names for Confirmation within said Term.

Sent down for Concurrence.

Read and concur'd.

*James Minot*, Esq; brought down the Report of the Committee for farming the Excise in the County of *Bristol*. Report on  
*Bristol* Excise:

Signed *Samuel White*, per Order.

Read and Ordered, That the Report be accepted, and that the Sum of *two Pounds nine Shillings and eight Pence*, be allowed to the Committee for their Trouble and Expences in farming the said Excise.

Sent up for Concurrence.

A Petition of *Samuel Giddinge's*, and others, of the second Parish in *Ipswich*, praying to be set off with their Estates, to the new Parish in said Town, for the Reasons mentioned. Petition of  
*Sammuel Gid-*  
*dinge*.

Read and Ordered, That the Petitioners serve the Clerk of the second Parish in *Ipswich*, with a Copy of this Petition, that they shew Cause, if any they have, on the third Day of *January* next, if the Court be then Sitting, if not, on the second Thursday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Petition of *Elizabeth Lawrence* of *Natick*, Indian Woman, praying for Liberty to sell Part of her Lands in the Town of *Natick*, for the Reasons mentioned. Petition of  
*Eliz. Law-*  
*rence*.

Read and Voted, That the Prayer of the Petition be so far granted, as that the Petitioner have Leave, with the Advice and Assistance of the Guardians of the *Natick* Indians, to sell so much of the Land therein mentioned, as will pay the Sum of *sixteen Pounds eight Shillings*, they to be accountable to this Court for their Proceedings therein.

Sent up for Concurrence.

A Petition of *Isaac Whitney* of *Biddeford*, praying he may be Licensed to keep a House of publick Entertainment in said *Biddeford*, for the Reasons mentioned. Petition of  
*Isaac Whitney*.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *York*, be impowred (if they think fit) to Licence the Petitioner to keep a House of publick Entertainment in said *Biddeford*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *Joshua Brand* of *Natick*, praying that this Court would reverse a Judgment of the Inferiour Court in the County of *Plymouth*, obtained by *Isaac Little*, against him, for the Reasons mentioned. Petition of  
*Joshua Brand*.

Read and Ordered, That this Petition be dismiss'd.

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The

Report on  
*Plymouth*  
County Trea-  
surers Account

The Committee appointed on the Accompt of the Treasurer of the County of *Plymouth*, reported.

Read and accepted, and *Ordered*, That the within Accompt be allowed, and that the Ballance thereof being *seventy seven Pounds six Shillings & four Pence*, the Treasurer is further accountable to said County for.

Sent up for Concurrence.

Petition of  
*Henry Barnes*.

A Petition of *Henry Barnes* of *Marlborough*, praying that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex*, may be impowred to Licence him a Retailer of such spirituous Liquors as he distils from Cyder, &c. for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex*, are impowred, if they see fit, at their present Session, or at their next Term, to Licence the Petitioner to sell by Retail in said Town, what spirituous Liquors he shall distil, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Mercurii 19. Die Decembris, A. D. 1753.

Petition of  
*Sam. Bradford*.

A Petition of *Samuel Bradford* of *Middleton*, praying he may be Licenced to keep a House of publick Entertainment in said Town, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Essex*, are hereby impowred at their next Term, if they see fit, to Licence the Petitioner to keep a publick House of Entertainment in said Town, he first obtaining the Approbation of the Select-Men of *Middleton*, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Report on  
*Barnstable*  
Excise.

*Jabez Fox*, Esq; brought down the Report of the Committee for farming the Excise in the County of *Barnstable*.

Signed *John Otis*, per Order.

Read and *Ordered*, That the Report be accepted, and that the Sum of *one Pound eighteen Shillings and eight Pence*, be allowed and paid the said Committee for their Trouble and Expences in farming said Excise.

Sent up for Concurrence.

Petition of  
*Jos. Munroe*.

A Petition of *Joseph Munroe* of *Billerica*, praying he may be allowed the Sum of *ten Pounds* old Tenor, so much deducted out of his Son's Wages &c. for the Reasons mentioned.

Read and committed to Mr. *Witt*, Mr. *Bucknam*, and Mr. *Kidder*, to consider and report thereon.

Petition of  
*Mr. Eph. Jones*.

A Petition of Mr. *Ephraim Jones*, in the Name and Behalf of the Select-Men of the Town of *Concord*, praying said Town may be allowed the Sum of *thirty five Pounds*, expended on one *Jane Corbit*, a poor Person.

Read and *Ordered*, That the Petition be dismiss'd.



*Sylvanus Bourne*, Esq; brought down the Petition of *George Tilley* of *Boston*. Pass'd in Council, viz. In Council *December 17th 1753*. Petition of  
*Geo. Tilley*.  
bro't down.  
Read and Ordered, That the Prayer of the Petition be so far granted, as that the Justices of the General Sessions of the Peace for the County of *Suffolk*, at their next ensuing Sessions, be and hereby are impowred to grant the Petitioner a Licence to keep a Tavern in the Town of *Boston* the remaining Part of the Year, provided he obtain a Recommendation from the Select-Men of the Town of *Boston* for that Purpose, the Time for granting Licences being elapsed notwithstanding.  
Sent down for Concurrence. Read and concur'd.

A Petition of *Phineas Blood* and *Sarah Blood*, of *Concord*, praying Liberty to make Sale of the Real Estate of *Ebenezer Meriam*, Jun. late of *Concord*, deceased, for the Reasons mentioned. Petition of  
*Phineas Blood*.

Read and committed to Capt. *White*, Capt. *Williams*, and Capt. *Richmond*, to consider and report thereon.

A Petition of *Esther Harrington*, Administratrix on the Estate of *Adino Harrington*, late of *Weston*, deceased, praying for Liberty to make Sale of the Real Estate the said *Adino* died seized of, for the Reasons mentioned. Petition of  
*Esther Harrington*.

Read and committed to Capt. *White*, Capt. *Williams*, and Capt. *Richmond*, to consider and report thereon.

A Petition of *Nathanael Gardner* of *Pembroke*, praying he may be allowed the Charges of a Doctor, Nurling and Attendance, when he was sick, being in the *Canada* Service, for the Reasons mentioned. Petition of  
*Nath. Gardner*

Read and committed to *Henry Gibbs*, Esq; of *Newton*, Capt. *Spur*, and Mr. *Turner*, to consider and report thereon.

A Petition of *Henry Quincy* and *Isaac Freeman* of *Boston*, praying that an Execution one *Nathanael Little* hath obtained against them, may be stayed, for the Reasons mentioned. Petition of  
*Henry Quincy*  
&c.

Read, and after a Debate had thereon, Ordered, That the Petition be dismiss'd.

A Petition of *John Franklin*, in Behalf of himself and Company, praying this Court would make a Grant of Money to encourage the making Pot-ash, for the Reasons mentioned. Petition of  
*John Franklin*  
&c.

Read and committed to Col. *Otis*, Mr. *Allen*, and Mr. *Fletcher*, to consider and report thereon.

A Petition of a Committee of the Town of *Rutland*, praying that six Miles Square in said Township, which was first settled, may be a separate Town, distinct from the rest of said Township, for the Reasons mentioned. Petition of  
Committee  
of *Rutland*.

Read and Ordered, That the Petition be dismiss'd.

*Benjamin Lincoln*, Esq; brought down a Bill Intituled *An Act for the more easy recovering the Charges that attend the Division and Settlement of Real Estates*. Pass'd in Council, viz. In Council *December 19th 1753*. A Bill bro't  
down.  
Read and Ordered, That this Bill be engross'd.

Sent down for Concurrence.

Read a first Time, and Ordered, That the Bill have a second Reading to Morrow Morning ten o'Clock.

A Bill Intituled *An Act to enable the Proprietors of Stow to raise Money &c.* Read a first Time. And

Ordered, That the Bill have a second Reading to Morrow Morning ten o'Clock.

*Post Meridiem.*

Grant to the Governour.

The House, agreeable to the Order of the Day, entred into the Consideration of a Grant to His Excellency the Governour.

And after a large Debate ; The Question was put, *Whether the Sum of Fourteen Hundred Pounds Lawful Money, be granted to His Excellency the Governour, in full Consideration of his past Services, and further to enable him to proceed in the Affairs of the Government ?* Resolved in the Affirmative.

And Ordered, That Mr. Allen, Capt. White, and Mr. Bucknam, be a Committee to prepare a Bill accordingly.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Jobis 20. Die Decembris, A. D. 1753.**

Report on  
Petition of  
*Phinehas* and  
*Sarah Blood.*

THE Committee appointed on the Petition of *Phinehas* and *Sarah Blood*, as entred Yesterday, reported.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the said *Phinehas* and *Sarah*, with the Consent and Approbation of *Nathanael Whittemore* of *Concord*, be and hereby are authorized and impowred to make Sale of the Buildings and Lands therein mentioned, for the most the same will fetch, and to make and execute a good Deed or Deeds of the same ; they observing the Directions of the Law respecting the Sale of Real Estates ; provided also they give sufficient Caution to the Judge of Probate for the County of *Middlesex*, that the Principal Sum arising by said Sale, shall at the Decease of the said *Sarah*, be paid to the two Daughters of *Ebenezer Merriam*, Jun. deceased, or their legal Representatives, agreeable to the Will of the said *Ebenezer*. Sent up for Concurrence.

Bill for a Grant.

A Bill Intituled *An Act for granting the Sum of Fourteen Hundred Pounds for the Support of his Majesty's Governour.*

Read a first second and third Time, and pass'd to be engross'd.

Sent up for Concurrence by Mr. Fletcher, Mr. Witt, Mr. Bucknam, Mr. Stevens, and Col. Bradford.

Petition of  
*Sarah Staniford*  
bro't  
down.

*Joseph Pyncheon*, Esq; brought down the Petition of *Sarah Staniford*, with the Papers accompanying the same, with a Report of a Committee thereon. Signed *George Leonard*, per Order.

Pass'd in Council, viz. In Council December 19th. 1753. Read and not accepted ; and thereupon Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner in her Capacity of Executrix, be and hereby is enabled to bring her Writ of Review on the Judgment within mentioned, at the next Interiour Court of Common Pleas to be holden for and within the County of *Effex*, she to attend the Directions provided by Law in Case of bringing forward a Writ of Review ; and the Justices of the said Court are hereby impowred

powred to order an issuable Plea upon the original Writ, and to hear and determine on the Action of Review in like Manner to all Intents and Purposes whatsoever, as if the Default referred to in the Petition had not been made. Sent down for Concurrence.

Read and concur'd.

*John Chandler*, Esq; brought down a Bill Intituled *An Act for the effectual preventing the Currency of the Bills of Credit of Connecticut, New-Hampshire, and Rhode-Island, within this Province.* A Bill bro't down.

Pass'd in Council, viz. In Council December 19th 1753. Read a first and second Time, and pass'd to be engross'd.

Sent down for Concurrence.

Read a first Time, and Ordered, That the Bill be read a second Time to Morrow Morning eleven Clock.

*Thomas Hutchinson*, Esq; came down from the honourable Board, with the following Message, viz. Message from the Board.

That the honourable Board apprehended it convenient the Words, *in full* in a Bill Intituled *An Act for granting the Sum of Fourteen Hundred Pounds for the Support of his Majesty's Governour*, be erased.

Ordered, That *Col. Partridge* go up to the honourable Board, and inform them, the House consent thereto.

The Committee appointed on the Petition of *Nathanael Gardner*, as entred Yesterday, reported. Report on Petition of *Nath. Gardner*

Read and accepted, and Ordered, That there be allowed and paid out of the publick Treasury to the Petitioner *Nathanael Gardner*, the Sum of *four Pounds sixteen Shillings*, to enable him to pay his Nursing and Doctor, as mentioned in the Petition.

Sent up for Concurrence.

On a Motion made and seconded, Ordered, That *Capt. White*, and *Mr. Nathanael Russell*, and *Mr. Moseley*, be a Committee to review the Laws, and see what Acts are expired or near expiring, and report thereon. Committee for Laws.

A Bill Intituled *An Act for the more easy recovering the Charges that attend the Division and Settlements of Real Estates.*

Read a second Time.

*Mr. Deputy Secretary* brought down an engross'd Bill Intituled *An Act for granting the Sum of Fourteen Hundred Pounds for the Support of his Majesty's Governour.* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

### *Post Meridem.*

A Bill Intituled *An Act to enable the Proprietors of Stow to raise Money &c.* Read a second and a third Time. And *Stow Bill re-mitted.*

Ordered, That the Bill be recommitted for Amendments, and *Col. Warthington* be added to the Committee.

Ordered, That *Col. Otis* be added to the Committee on the Petition of *Jonathan Clarke*, and others. Col. Otis on a Bill



Vote relating to *Walter McFarland*. *John Hill, Esq;* brought down a Report of a Committee on His Excellency's Message of the 14th Currant. Signed *Jacob Wendell*, per Order.

Which is as follows, viz. That His Excellency the Governour be desired to give Orders that *Walter McFarland*, the present Indian Interpreter at *Richmond*, repair directly to *Boston*, in order to perfect himself in Reading, Writing and Cyphering; the Cost of which, together with his Boarding for three or four Months, to be at the Charge of the Province; and that *Robert Dewee*, who hath some Knowledge of the Indian Tongue, be sent to *Richmond*, and be employed as Interpreter during the Absence of the said *Walter*.

In Council December 20th 1753. Read and sent down.

Read and concur'd.

[honourable]

Message from the Board.

*John Chandler, Esq;* came down from the honourable Board, to inquire whether any Thing was like to be sent up this Afternoon.

Time for Grants.

Ordered, That the Grants to be made to the several Civil Officers, be taken under Consideration to Morrow three o'Clock Afternoon.

Petition of *Sam. Clarke*.

A Petition of *Samuel Clarke of Plymouth*, praying that a Judgment of the Court of General Sessions of the Peace in the County of *Plymouth* against him may be set aside, and he licensed a Taverner, for the Reasons mentioned.

Read and Ordered, That the Petition be dismiss'd.

Petition of *Hen. Allen*.

A Petition of *Hezekiah Allen of Dedham*, praying he may be allowed and impowred to file his Complaint at the next Superiour Court to be holden at *Boston*, for the County of *Suffolk*, in his Action against *Thomas Weatherbee*, for the Reasons mentioned.

Read and Ordered, That the Petitioner serve the adverse Party *Thomas Weatherbee*, with a Copy of this Petition, that he shew Cause, if any he have, on Thursday the third Day of *January* next, why the Prayer thereof should not be granted. Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Weneris 21. Die Decembris, A. D. 1753.**

Bill engross'd.

A Bill Intituled *An Act for erecting the North Parish in Sunderland into a seperate District by the Name of ———*

Read a first second & third Time, and pass'd to be engross'd. Sent up for Concurrence.

Report on Petition of *Esther Harrington*.

The Committee appointed on the Petition of *Esther Harrington*, as enter'd the 19th Currant, reported.

Read and accepted, and thereupon Voted, That the Prayer of the Petition be so far granted, as that the said *Esther* in her Capacity of Administratrix, be and hereby is authorized and impowred to make Sale of the Dwelling-House and Land mentioned in the Petition, for the most the same will fetch, and to make and execute a good Deed or Deeds of the same; she observing the Directions of the Law respecting the Sale of Real Estates; provided also she give sufficient Caution to the Judge of Probate for the County of *Middlesex*, that the Produce arising by said Sale (after the just Debts of her late Husband *Adino Harrington*

*Harrington* be paid out of same) be secur'd on Interest for the Heirs of the said *Adino*, and the said *Esther* to receive only one third Part of the Interest of the Money remaining after the Debts of the said *Adino* are paid as aforesaid, and the Remainder to be for the Heirs of the said *Adino*. Sent up for Concurrence.

*Benjamin Lincoln*, Esq; brought down a Petition of *Eleazer Porter*, Esq; Petition of *Hadley*, praying that an Island in *Connecticut-River* against said Town, *Eleazer Porter* may be granted to the first Parish in *Hadley*, for the Reasons mentioned. Esq;

In Council December 21st 1753. Read and sent down.

Read and Ordered, That this Petition be dismiss'd.

Ordered, That Capt. *White*, Col. *Cotton*, and Col. *Richards*, be a Committee to prepare a List of the Travel and Attendance of the Members of the House of Representatives in the last April Session. for List.

*John Chandler*, Esq; brought down the Report of the Committee Report on appointed to farm the Excise in the County of *Suffolk*. Pass'd in *Suffolk Excise*. Council, viz. In Council December 21. 1753. Read and sent down.

Read and Ordered, That the Report be accepted, and that the Committee be allowed and paid out of the publick Treasury the Sum of six Pounds nineteen Shillings and four Pence, for their Trouble and Expences in farming said Excise. Sent up for Concurrence.

A Petition of *Ebenezer Nichols* of *Reading*, Guardian to *Samuel Pool* Petition of of said Town, praying for Liberty to make Sale of Part of the Real *Eben. Nichols* Estate belonging to the said *Samuel*, for the Reasons mentioned.

Read and committed to Capt. *Livermore*, Mr. *Gibbs* of *Newton*, and Col. *Bradford*, to consider and report thereon.

A Bill Intituled *An Act for the more easy recovering the Charges that attend the Division and Settlement of Real Estates.* Bill read and committed.

Read a third Time, and committed to Col. *Otis*, Mr. *Elisba Jones*, and *Samuel Welles*, Esq; to make the proposed Amendments.

A Bill Intituled *An Act for Naturalizing* John Amiel.

Read a first second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

### *Post Meridiem.*

The Committee appointed on the Petition of *Ebenezer Nichols* of *Reading*, as enter'd this Day, reported according to Order. Report on Petition of *Eben. Nichols*.

Read and accepted, and thereupon Voted, That the Petitioner in his said Capacity of Guardian, be impowred and enabled to make Sale of the Land mentioned in the Petition, for the most it will fetch, and to execute a good Deed or Deeds in the Law for conveying the same; he to observe the Directions in the Law for the Sale of Real Estates; and give Caution to the Judge of Probates for the County of *Middlesex*, that the Proceeds of said Sale be improved in paying the said Minor's Sister her Share or Right in her late Father's Estate, and the Overplus (if any be) to be improved to the best Advantage of said Minor. Sent up for Concurrence.

The

Report on  
Petition of  
*Jonath. Clark,*  
&c.

The Committee appointed on the Petition of *Jonathan Clark*, and others, as enter'd the 17th Currant, reported.  
Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners have Liberty to bring in a Bill accordingly. Sent up for Concurrence.

A Bill Intituled *An Act for the effectual preventing the Currency of the Bills of Credit of Connecticut, New-Hampshire & Rhode-Island within this Province.*

Read a second and third Time, and concur'd with the Amendments at A, B, and C. Sent up for Concurrence.

Grants refer'd *Ordered*, That the Consideration of the Grants to Civil Officers be refer'd to Thursday next, at three o'Clock Afternoon.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Sabbati 22. Die Decembris, A. D. 1753.

A N engross'd Bill Intituled *An Act for erecting the North Parish in Sunderland into a seperate District by the Name of ———*  
Read and *Resolved*, That the Bill pass to be enacted.  
Sent up for Concurrence.

Report on  
Petition of  
*Thankful Gleason.*

The Committee appointed on the Petition of *Thankful Gleason*, as entred the 13th Instant, reported according to Order.  
Read and accepted, and *Voted*, That the Petition be so far granted, as that the said *Thankful* in her said Capacity, be and hereby is impow-  
ered to make Sale of her late Husband's Right in the Lands therein mentioned, for the most the same will fetch, and to make and execute a good Deed or Deeds of the same; she observing the Directions of the Law respecting the Sale of Real Estates; provided also the Petitioner give Caution to the Judge of Probate for the County of *Middlesex*, that the Proceeds arising by said Sale shall be distributed among the lawful Heirs agreeable to Law. Sent up for Concurrence.

Report on  
Petition of  
*Robert Ball.*

The Committee appointed on the Petition of *Robert Ball*, Keeper of the Light House, as entred the 18th Currant, reported.  
Read, and thereupon *Voted*, That the Sum of *Fifty Pounds* be allowed and paid out of the publick Treasury to the said *Robert Ball*, for a Year's Service ending the 19th of *November* last: And the further Sum of *sixteen Pounds* to reimburse him so much as he advanced for Cord Wood for said Light-House. Sent up for Concurrence.

Petition of  
*Ezra Smith,*  
bro't down.

*James Minot*, Esq; brought down the Petition of *Ezra Smith*, and others of *Stoughton*, with a Report of a Committee of both Houses,  
Signed *John Hill*, per Order.

Pass'd in Council, viz. In Council, *December* 18th 1753. Read and *Ordered*, That this Report be and hereby is accepted, and that Part of the Town of *Stoughton* there mentioned (together with the Inhabitants thereon) is annexed to the Town of *Wrentham* accordingly. Sent down for Concurrence. Read and concur'd.



*James Minot*, Esq; brought down the Petition of sundry Inhabitants of the Southwesterly Part of *Stoughton*. Pass'd in Council, viz. In Council, *December 18. 1753.*

Petition of  
Inhabitants of  
*Stoughton* bro't  
down.

Read and Ordered, That the Prayer of the within Petition be granted, and that the Petitioners with their Estates be and hereby are annexed to the second or North Precinct in the Town of *Norton*, there to do Duty and enjoy Privileges as other the Inhabitants of said Precinct by Law do enjoy ; provided always, that they pay their just Proportion to all past Taxes already granted or assessed by the second Parish in *Stoughton*, and they are hereby subjected to pay the same accordingly.

Sent down for Concurrence.

Read and concur'd.

Voted, That whereas the Committee that settled with the late Treasurer *William Foye*, Esq; *February 8th 1753.* found that the Ballance then in his Hands was *six Thousand two Hundred and ninety Pounds nineteen Skillings and two Pence* Lawful Money ; since which he has been ordered by the Court to Charge himself with several Sums which he represented to be outstanding, but upon Examination appeared to be either paid to his Clerk, or else such Debts thro' his Neglect are lost (as appears by the Votes of the House since *February 1753.*) That the present Committee appointed to settle with the said Mr. *Foye*, see whether he hath charged himself with said Sums : Also in the late Lottery there was 4926 Tickets delivered the said Mr. *Foye* as the Lott of the Province, which Tickets drew Prizes to the Amount of *Four Thousand three Hundred ninety four Pounds eight Skillings* ; that the present Committee see that those Tickets are destroyed ; and also that the said present Committee see that he charges himself with all the Monies that have come into his Hands, and that he produce satisfactory Vouchers for Payments ; and that they receive the Ballance which may be due from Mr. *Foye* to the Province, and deliver it to Mr. Treasurer *Gray*, and take his Receipt therefor, in Behalf of the Province.

Vote relating  
to the late  
Treasurer's  
Accompts.

*George Leonard*, Esq; brought down the following Vote of Council, viz. In Council, *December 21. 1753.* Ordered, That the Committee of both Houses appointed to write to Mr. Agent *Bollan*, on the Subject of the Controversy with *New-York*, be directed to prepare an Instruction to the said Mr. *Bollan*, relating to the Reimbursement of the Charge of *Fort-Dummer*, and other Parts of the Western Frontiers ; the said Committee to make Report as soon as may be.

Vote of Coun-  
cil bro't down.

Sent down for Concurrence.

Read and concur'd.

Whereas by Law the Court of General Sessions of the Peace & Inferiour Court of Common Pleas for the County of *York*, was to have been holden on the first Tuesday of January next, and several concerned in said Courts are Members of the General Court, which it's probable will be sitting at that Time.

Adjournment  
of *York* Court.

Therefore,

Ordered, That the said Courts of General Sessions of the Peace, and Inferiour Court of Common Pleas, &c. be and hereby are Adjourned to the first Tuesday of *February* next ; and all Officers and others concerned in said Courts are to conform themselves accordingly : And all Processes and other Matters and Things depending in said Courts, and which are by Law to be heard tried and proceeded upon at

said

said Term, shall be heard tried and proceeded upon on the first Tuesday of *February* next ; and the Justices of said Courts are hereby required to conform themselves accordingly.

Sent up for Concurrence.

Adournment as follows, viz.  
of the Court.

A Message from His Excellency the Governour by Mr. Secretary, Mr. Speaker, His Excellency directs that this Great and General Court or Assembly be Adjourned to Wednesday next at 11 o'Clock in the Forenoon.

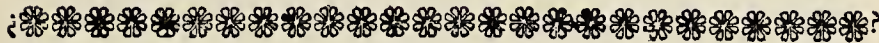
Then Mr. Secretary declared the said Court to be Adjourned to that Time accordingly.





# VOTES

Of the House of Representatives.



Mercurii 26. Die Decembris, A. D. 1753.

**Petition of John Woodbridge**, praying he may be enabled to bring forward his Writ of Review against *Benjamin Stone*, at the next Superiour Court to be holden within and for the County of *York*, for the Reasons mentioned. *Petition of John Woodbridge.*

**Read and Ordered**, That the Petitioner serve the adverse Party *Benjamin Stone*, with a Copy of this Petition, that he shew Cause, if any he have, on the first Thursday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Petition of *Jarius Bisbee* and *Susannah* his Wife, of *Pembroke*, praying for Liberty to make Sale of a certain Lot of Land in *Duxbury*, for the Reasons mentioned. *Petition of Jarius Bisbee and Wife.*

Read and committed to Mr. *Stockbridge*, Capt. *Elijah Williams*, and Mr. *Fry*, to consider and report thereon.

On a Motion made and seconded, **Ordered**, That the Town of *Charlestown* be further allowed until Wednesday next, to give in their Answer to the Petition of a Number of the Inhabitants of *Cambridge*; it appearing that the Town of *Charlestown* have their Meeting this Day to answer this Petition, and also the Petition of *Medford*, and are ordered to answer *Medford* Petition at that Time. *Order on Medford Petition.*

Sent up for Concurrence.

*John Hill*, Esq; brought down the Petition of *Moses Pearson*, with Vote of Council thereon. Pass'd in Council, viz. In Council, December 21. 1753. Read again, together with the Answer of *John Thomas*, and *Thomas Thomas*, together with the Papers accompanying the same, and **Ordered**, That the Prayer of the Petition be so far granted, that he be and hereby is allowed to bring forward his Writ of Review of the Cause abovementioned, at the Superiour Court of Judicature to be holden at *York*, on the second Tuesday of *June* next, ensuing the Date hereof,

P p



hereof, and the Justices of the said Court are hereby impowred to hear and try the said Cause, to enter up Judgment and award Execution thereon accordingly. Sent down for Concurrence.

Read and concur'd.

Memorial of *Oliver Partridge, Esq;* A Memorial of *Oliver Partridge, Esq;* representing that divers good Inhabitants from the Colony of *Connecticut* are desirous to purchase some of the unappropriated Lands of the Province, and settle the same; a Plan of a Township West of *Connecticut-River* was therewith presented. Read and committed to Col. *Otis*, Capt. *Livermore*, Mr. *Welles*, Mr. *Lyman*, and Col. *Lawrence*, to consider and report thereon.

Petition of *Narragansett* Proprietors. A Petition of a Committee of the Proprietors of the *Narragansett* Township Numb. One, praying that this Court would appoint a Committee to run the Line between said Township & *Gorham-Town*, so called, for the Reasons mentioned. Read and committed to Col. *Lawrence*, Capt. *Wilder*, and Mr. *Elisba Jones*, to consider and report thereon.

Petition of Committee of *Gorham-Town* A Petition of a Committee of the Proprietors of *Gorham-Town*, so called, or *Narragansett* Numb. Seven, praying that a Plan thereof now presented may be confirmed, and ordered to be received in the Secretary's Office, for the Reasons mentioned. Read and committed to Col. *Lawrence*, Capt. *Wilder*, and Mr. *Elisba Jones*, to consider and report thereon.

### *Post Meridiem.*

Petition of *Sarah Pain.* A Petition of *Sarah Pain*, living on Province Lands, West of *Sheffield*, praying that this Court would give Order that her Husband *Joseph Pain*, may be bailed, who is imprisoned in *Albany* Goal by *Robert Livingston, Jun. Esq;* &c. for the Reasons mentioned. Read and Ordered, That this Petition be committed to the Committee on the second Paragraph of His Excellency's SPEECH. Sent up for Concurrence.

Bills read. A Bill Intituled *An Act to enable the Proprietors of Stow to raise Money &c.* Read a third Time and pass'd to be engross'd.

A Bill Intituled *An Act in Addition to an Act Intituled An Act for a new Choice of Town Officers on special Occasions.*

Read a first second and third Time, and recommitted in order to make the proposed Amendments.

Message to the Board. Ordered, That a Message go up to the honourable Board, to desire that they would direct that the Committee chosen the 18th of *June* last, to inspect and examine the Accompts of the Commissioners of the Land Bank &c. forthwith to sit and report.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Jobis 27. Die Decembris, A. D. 1753.**

**A** Bill Intituled *An Act in Addition to an Act made in the fifth Year of her late Majesty Queen Anne Intituled An Act for a new Choice of Town Officers on special Occasions.* Bills read and enacted.  
Read a third Time and pass'd to be engross'd.  
Sent up for Concurrence.

A Bill Intituled *An Act for the effectual preventing the Currency of the Bills of Credit of Connecticut, New-Hampshire and Rhode-Island, within this Province.*

Read and Resolved, That the Bill pass to be enacted.

*James Minot*, Esq; brought down the Petition of *Samuel Mabo* and others, Indian Planter, belonging to *Stoughton*. Pass'd in Council, viz. In Council December 26th 1753. Read again, together with the Answer of *Samuel Miller*, and *John Shepard*, Esqrs; and Ordered, That *Benjamin Lincoln*, Esq; with such as the honourable House shall join, be a Committee to repair to the Wood Lands and Cedar Swamps mentioned in the Complaint, as soon as may be, and to hear the Parties, and report what they judge proper for this Court to do thereon. Petition of *Samuel Mabo* bro't down.  
Sent down for Concurrence.

Read and concur'd, and Col. *Richards*, and Capt. *Joseph Williams*, are joined in the Affair.

*John Chandler*, Esq; came down from the honourable Board with a Message, desiring that the Papers accompanying the Bill enabling the Proprietors of *Stow* to raise Money &c. (if any there are) may be sent up. Message from and to the Board.

Ordered, That *Oliver Partridge*, Esq; go up to the honourable Board, and inform them, that there are no Papers accompanying said Bill relating to the Proprietors of *Stow*, &c.

*James Minot*, Esq; brought down the Petition of *John Pearson*. Pass'd in Council, viz. In Council December 26th 1753. Read and Ordered, That the Petitioner serve the adverse Party *Johnson Lunt*, with a Copy of this Petition, that he shew Cause (if any he have,) on the first Friday of the next Sitting of his Court, why the Prayer thereof should not be granted. Petition of *John Pearson* bro't down.  
Sent down for Concurrence.

Read and concur'd.

*John Greenleaf*, Esq; brought down the Draft of a Letter to Mr. Agent *Bollan*. Letter to the Agent.  
Pass'd in Council, viz. In Council December 22d 1753. Read and accepted, and Voted, That the Committee forward a Draft of this Letter, with the other Papers in the Case, to Mr. Agent *Bollan*. Sent down for Concurrence. Read and concur'd.

*Samuel Watts*, Esq; brought down a proposed Addition to the Letter to the Agent. Pass'd in Council, viz. In Council, December 26. 1753. Ordered, That the foregoing be added to the Letter proposed to be sent to Mr. Agent *Bollan*.

Sent down for Concurrence. Read and concur'd.

Ordered, That Capt. *Newball* be of the Committee on the Petition of Sir *William Pepperrell*, in the Room of *John Chandler*, Esq; who is absent. Capt. *Newball* on a Committee.  
The

Report on  
Petition of  
*John Wheelwright, Esq;*

The Committee appointed on the Petition of *John Wheelwright, Esq;* reported according to Order.

Read and accepted, and *Ordered*, That the Sum of *twenty Pounds* be allowed and paid out of the publick Treasury to the Petitioner *John Wheelwright, Esq;* in Consideration of his Services mentioned in the Petition. Sent up for Concurrence.

Report on  
Petition of  
*Hannah Williston.*

The Committee on the Petition of *Hannah Williston*, reported according to Order.

Read and thereupon *Voted*, That the said *Hannah* in her said Capacity be and hereby is impowred to make Sale of the Real Estate of the said *Noah*, and to make good and sufficient Deed or Deeds thereof, the first giving publick Notice of the Time and Place of Sale, and giving Bond to the Judge of Probate &c. in the County of *Hampshire*, ty improve the Proceeds of such Sale, for the Use of the said *Noah*, and to render him an Account thereof, and to pay to him the Ballance thereof when he shall arrive at Age. Sent up for Concurrence.

### *Post Meridiem.*

Petition of  
Inhabitants of  
*Dukes County.*

A Petition of sundry Inhabitants of *Dukes-County*, praying that this Court would pass an Act for building of Boats and Wharffe, for the Ferry from the *Maine* to *Dukes-County*, at the Charge of the Province &c.

Read and committed to Col. *Otis*, Capt. *White*, and Mr. *Fletcher*, to consider and report thereon.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

### **Ueneris 28. Die Decembris, A. D. 1753.**

Allowances to  
Civil Officers.

**T**HE House, according to the Order of the Day, entred into the Consideration of the usual Allowances to Civil Officers, and the following Votes passed, *viz.*

Superiour  
Judges.

*Ordered*, That the Sum of *seven Hundred & fifty Pounds* be allowed and paid out of the publick Treasury to the honourable the Justices of his Majesty's Superiour Court of Judicature Court of Assize and General Goal Delivery, for their Service for one Year, ending the first of *January* next. Sent up for Concurrence.

Secretary.

*Ordered*, That the Sum of *fifty Pounds* be granted and allowed to be paid out of the publick Treasury to *Josiah Willard, Esq;* Secretary of this Province, in full for his Service for one Year, ending the third Day of *December* Currant. Sent up for Concurrence.

Secretary.

*Ordered*, That the Sum of *ninety two Pounds* be granted and allowed to be paid out of publick Treasury to *Josiah Willard, Esq;* Secretary, &c. in Consideration of his extraordinary Services to the third Day of *December* Currant. Sent up for Concurrence.

President.

*Ordered*, That the Sum of *two Hundred and thirty Pounds* be granted and allowed to be paid out of the publick Treasury to the Reverend *Edward Holyoke*, President of *Harvard-College*, over and above the Rents of the *Massachusetts-Hall*, for one Year, ending the tenth Day of *September* next, to be paid quarterly.

Sent up for Concurrence.

*Ordered,*



*Ordered*, That the Consideration of an Allowance to the late Treasurer *William Foye*, Esq; be referred to some future Time.

*Ordered*, That the Sum of *ninety three Pounds six Shillings and eight Pence*, be granted and allowed out of the publick Treasury to *Harrison Gray*, Esq; Treasurer and Receiver-General of His Majesty's Revenues of this Province, for half a Year's Service, commencing at the Time he qualify'd himself for said Office. Treasurer.  
Sent up for Concurrence.

*Ordered*, That there be granted and allowed to be paid out of the publick Treasury the Sum of *one Shilling and four Pence* per Diem, to the honourable *Thomas Hubbard*, Esq; Speaker of the House, for every Day of his Attendance in the General Court, from the opening of the Session on the 30th of *May 1753*, over and above his Pay as a Member of the House. Speaker.  
Sent up for Concurrence.

*Ordered*, That there be granted and allowed to be paid out of the publick Treasury to the several Clerks of this House, the Sum of *seventy Pounds*, for their Service in Proportion to the Time they serve in that Trust, for the present Year, as this Court shall hereafter order. Clerks.  
Sent up for Concurrence.

*Ordered*, That there be granted and allowed to be paid out of the publick Treasury to the Reverend Dr. *Edward Wigglesworth*, Hollisian-Professor of Divinity at *Harvard-College in Cambridge*, the Sum of *ninety Pounds*, as a Gratuity, in Consideration of his faithful Discharge of that great and important Trust reposed in him, and for his further Encouragement therein. Hollisian-Professor of Divinity.  
Sent up for Concurrence.

*Ordered*, That there be granted and allowed to be paid out of the publick Treasury to *John Winthrop*, Esq; Hollisian-Professor of the Mathematicks at *Harvard-College in Cambridge*, the Sum of *seventy Pounds*, as a Gratuity, in Consideration of his faithful Discharge of that Trust reposed in him, and for his further Encouragement therein. Hollisian-Professor of the Mathematicks.  
Sent up for Concurrence.

*Ordered*, That there be granted and allowed to be paid out of the publick Treasury to *R. Judah Momi*, Hebrew Professor of *Harvard-College in Cambridge*, the Sum of *twenty Pounds*, as a Gratuity, in Consideration of his faithful Discharge of that Trust reposed in him, and for his further Encouragement therein. Hebrew Professor.  
Sent up for Concurrence.

*Ordered*, That there be allowed and paid out of the publick Treasury the Sum of *twelve Pounds*, one Half to the Reverend Chaplain of the honourable Board the present Year; the other Half to the Reverend Mr. *Samuel Cooper*, Chaplain of this House, for their respective Services the present Year. Chaplains.  
Sent up for Concurrence.

*Ordered*, That there be granted and allowed to be paid out of the publick Treasury to Mr. *John Phillips*, Chaplain of His Majesty's Castle *William*, the Sum of *forty Pounds*, as a Gratuity for his Service in that Trust the Year past. Chaplain at the Castle.  
Sent up for Concurrence.

Commissary. *Ordered*, That there be granted and allowed to be paid out of the publick Treasury the Sum of *one Hundred and fifty Pounds*, to *John Wheelwright*, Esq; Commissary-General, for his Service in that Office for one Year. Sent up for Concurrence.

Doorkeeper. *Ordered*, That there be allowed and paid out of the publick Treasury, the Sum of *eighty Pounds*, to Mr. *William Baker*, Door-keeper to His Excellency the Governour and this Court, in full for his Service for one Year, to be paid quarterly. Sent up for Concurrence.

Lieut. of the Castle. *Ordered*, That there be allowed and paid out of the publick Treasury the Sum of *forty Pounds*, to *John Larabee*, Lieutenant of His Majesty's Garrison of Castle *William*, in Consideration of his faithful Discharge of the Trust reposed in him. Sent up for Concurrence.

Chief Justice of Superiour Court. *Ordered*, That the Sum of *forty Pounds* be granted and paid out of the publick Treasury to the honourable *Stephen Sewall*, Esq; in Consideration of his faithful Discharge of the important Trust reposed in him as Chief Justice, and for his further Encouragement therein. Sent up for Concurrence.

### *Post Meridiem.*

A Bill Intituled *An Act for the more easy recovering the Charges that attend the Partition and Settlement of Real Estates.*

Read a third Time, and concur'd with the Amendments at A, & B. Sent up for Concurrence.

The Committee appointed on the Petition of *Jarius Bisbee* and *Susannah* his Wife, as entred the 26th Currant, reported.

Report on  
Petition of  
*Sarah Bisbee*  
&c.

Read and accepted, and thereupon *Ordered*, That the Prayer of the Petition be so far granted, as that the said *Jarius* be and hereby is impowred to make Sale of the ninety ninth Lot of Land in said Petition mentioned, for the most the same will fetch, and to make and execute a good Deed or Deeds of the same, first giving seasonable Notice of the Time and Place of Sale; and also giving Caution to the Judge of Probate for the County of *Plymouth*, that the Produce arising by said Sale shall be applied towards purchasing Part of the Homestead of *Isaac Wadsworth*, deceased, as mentioned in said Petition; which Deed or Deeds so given by the said *Jarius* of the said ninety-ninth Lot of Land, shall be deemed good and valid to all Intents and Purposes as tho' given by the said *Jarius* and *Susannah* after the said *Susannah's* Arrival to the Age of twenty one Years.

Sent up for Concurrence.

The Committee appointed on the Petition of the Agents of *Gorham* Township, reported according to Order.

Report on  
Petition of  
*Gorham-Town*

Read and accepted, and thereupon *Voted*, That the Plan of the said *Gorham-Town*, taken by *John Small*, and exhibited to this Court with the Petition, is agreeable to the true Intent and Design of the original Grant made to said Proprietors, and that it be accepted and confirmed accordingly, notwithstanding any different Courses described in a former Plan, provided the Land delineated in this Plan doth not interfere with any former Grant, nor exceed the Quantity of the first Grant. And whereas the Agents of said Proprietors have agreed in Consideration of the House and Mills built by *Nathanael Sparhawk*, Esq; and

and the other Charges he hath been at in making Improvements in said Township, that the said *Sparhawke*, or his Assigns, be quieted in the Possession of about one Hundred and forty Acres of Land he bought of *Solomon Bragdon*, and that the said *Sparhawke* or his Assigns have the said Lands confirmed to him or them, with the Appurtenances ~~so~~ the same belonging. Sent up for Concurrence.

*John Hill*, Esq; brought down the following Vote. Pass'd in Council, viz. In Council December 27th 1753. Voted, That the Committee of both Houses on the Controversy between this Province and the Colony of *New-York* respecting their Boundary, be a Committee to take under Consideration his Excellency's Message of the 26th Instant, and the Paper accompanying it, relating to the said Boundary, and report what they judge proper to be done thereon, as soon as may be. Sent down for Concurrence. Read and concur'd.

Vote relating to *New-York* Boundary bro't down.

A Petition of *William Pomroy* and others, Inhabitants on *Sagadahock-River*, praying they may be erected into a sepearte District, for the Reasons mentioned. Petition of *Wm. Pomroy*.

Read and committed to the Committee appointed on the Petition of fundry Inhabitants of *Wiscassett*, to consider and report thereon.

Ordered, That *Oliver Partridge*, Esq; be of the Committee on the Controversy between this Province and the Colony of *New-York*. Sent up for Concurrence. *Oliver Partridge*, Esq; on a Committee.

A Petition of *Benjamin Tucker*, one of the Coroners of the County of *Plymouth*, praying he may be allowed his Accompt in taking an Inquest on the dead Body of one *Betty David*, an Indian Woman, for the Reasons mentioned. Petition of *Benj. Tucker*.

Read and committed to Capt. *Livermore*, Capt. *Smith*, and Mr. *Gibbs* of *Newton*, to consider and report thereon.

A Petition of fundry Inhabitants of *Gay-Head*, setting forth, that that their Sheep are destroyed by the Indians Dogs, &c. praying Relief. Petition of *Gayhead* Inhabitants.

Read and Ordered, That *Enoch Coffin*, Esq; be directed to bring in a Bill for regulating said Dogs &c.

A Bill Intituled *An Act in Addition to an Act made in the fifth Year of her late Majesty Queen Anne Intituled An Act for a new Choice of Town Officers on special Occasions*. Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Sabbati 29. Die Decembris, A. D. 1753.

A Bill Intituled *An Act in Addition to the several Laws of this Government made for the regulating General Fields*. Bill read.

Read a first Time, and Ordered, That the Bill have a second Reading on Monday next three o'Clock Afternoon.

The Committee appointed on the Petition of *Phinebas Pratt*, Agent for the Township of *Bedford* in the County of *Hampshire*, as entred the 11th Currant, reported, that they are of Opinion the said Township be erected into a sepearte District, and that said Committee bring in a Bill accordingly. Report on Petition of *Phinebas Pratt*.

The



Report on  
Petition of  
*Jos. Munroe*.

The Committee appointed on the Petition of *Joseph Munroe*, as entered the 19th Currant, reported.

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be so far granted, that there be allowed and paid out of the publick Treasury to the Petitioner the Sum of *thirteen Shillings and four Pence*; and also that the Commissary-General be directed to deliver the Petitioner one of the Province Firelocks.

Sent up for Concurrence.

Petition of  
*Mashpee* Indians  
bro't down

*John Greenleaf*, Esq; brought down the Petition of the *Mashpee* Indians. Pass'd in Council, *viz.* In Council *December 28th 1753*. Read again, together with the Answer of the Guardians of the *Mashpee* Indians, and *Ordered*, That *Samuel Watts*, and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and consider the Petition, and report as soon as may be.

Sent down for Concurrence.

Read and concur'd, and *Capt. Joseph Williams*, *Col. Buckminster*, and *Col. Bradford*, are joined in the Affair.

Report on  
Lists.

The Committee appointed to prepare the Lists of the Travel and Attendance of the Members of the honourable House in their Sessions in *May* and *September* last, reported thereon.

Which was read and approved of by the House, and *Ordered*, That the Clerk certify the same.

Petition of  
*John Ruddock*.

A Petition of *John Ruddock* of *Boston*, Gentleman, praying that his Petition, as entered the 30th of *November 1752*, which was then dismiss'd, may be revived, for the Reasons mentioned.

Read, and *Ordered*, That this Petition be dismiss'd.

Report on  
Petition of  
*Narragansett*  
Numb. One.

The Committee appointed on the Petition of a Committee of *Narragansett*, Number One, as entered the 26th Currant, reported.

Read and accepted, and *Ordered*, That *Richard Hazzen*, Esq; run the dividing Line between the said *Narragansett* Number One, and Number Seven, with Chain-Men on Oath, at the Charge of the Petitioners, and make Return of his Doings therein into the Secretary's Office as soon as may be.

Sent up for Concurrence.

Petition of  
*Mr. Gideon Lyman*.

A Petition of *Mr. Gideon Lyman* of *Northampton*, praying that the Court would sell to him and his Associates, a Tract of the unappropriated Lands of the Province, lying West of and adjoining to *Northampton*, for the Reasons mentioned.

Read and committed to *Col. Wortington*, *Mr. Fletcher*, and *Capt. Joseph Williams*, to consider and report thereon.

Committee  
for a Bill.

*Ordered*, That *Samuel Welles* and *Oliver Partridge*, Esqrs; and *Capt. Joseph Williams*, be a Committee to prepare a Bill for the better regulating idle Persons who mispend their Time and Estates.

*Mr. Prebble*  
Liberty to  
bring in a Bill.

On a Motion made and seconded, *Ordered*, That *Jedediah Prebble*, Esq; have Liberty to bring in a Bill for the dividing the County of *York*, and for erecting and making the Easterly Part of the same into a separte and distinct County, and for establishing Courts of Justice within the same.

Which he reported, and laid on the Table.

Which Bill was read a first Time. And

*Ordered*, That the Bill have a second Reading on Wednesday next three o'Clock.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.



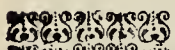


# VOTES

## Of the House of Representatives.



Lunæ 31. Die Decembris, A. D. 1753.

 Petition of Mr. *Timothy Walker*, representing that he has undertaken to address the King's most excellent Majesty, on Behalf of the Proprietors of *Rumford*, praying this Court would instruct their Agent at *Great Britain* to advise and assist him, for the Reasons mentioned.

Petition of  
Mr. *Timothy Walker*.

Read and committed to *Samuel Welles*, *James Allen*, and *William Lawrence*, Esq;

Ordered, That Col. *Worthington*, Capt. *Joseph Williams*, and Mr. *Fletcher*, be a Committee to take under Consideration a Plan of the Province Lands lying between *Sunderland* and *Miller's River*, and consider and report what it may be proper for this Court to do respecting said Lands.

Committee on  
Province  
Lands.

A Bill Intituled *An Act for preventing Mischief by unruly Dogs. at a Place called Gay-Head on Martha's-Vineyard.*

Read a first Time, and Ordered, That the Bill have a second Reading to Morrow Morning ten o'Clock.

On a Motion made and seconded, Ordered, That Mr. Speaker, Col. *Otis*, Col. *Lawrence*, Capt. *Elijah Williams*, and Col. *Partridge*, be a Committee to consider of some proper Method for the speedy Redemption of the outstanding Bills of Credit of this Province.

Committee  
for Redempti-  
on of Bills.

A Petition of *Edward Child* and *Abigail Gridley* of *Roxbury*, praying for Liberty to sell certain Lands, and a Dwelling House at the Southerly Part of *Boston*, which *Thomas Baker* died seized of, for the Reasons mentioned.

Petition of  
*Edw. Child &c.*

Read and committed to *Samuel Welles*, Esq; Mr. *William Bowdoin*, and Col. *Lawrence*, to consider and report thereon.

Committee  
on Indian  
Affairs at  
*Stockbridge*.

On a Motion made and seconded, *Ordered*, That the Committee chosen the 14th of *June* last, to inquire into the then Scituation of the Indians at *Stockbridge* &c. and also what Sums of Money had been expended on that Affair, be revived, and directed to sit forthwith, and report as soon as may be. Sent up for Concurrence.

Committee  
for a Bill.

On a Motion made and seconded, *Ordered*, That Col. *Otis*, Capt. *White*, and Col. *Worthington*, be a Committee to prepare a Bill of Limitation for quieting Possessions.

Petition of  
Capt. *Wm.*  
*Ayres*.

A Petition of Capt. *William Ayres* of *Brookfield*, in Behalf of the second Parish in said Town, praying that a Number of Inhabitants of the first Parish in said Town, may be annexed to the said second Parish, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the Clerk of the first Parish in said Town with a Copy of this Petition, that they shew Cause, if any they have, on the second Tuesday of the next Siting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Petition of  
*Josiah Con-*  
*verse*.

A Petition of *Josiah Converse*, and others, Inhabitants of the first Parish in *Brookfield*, praying they may be annexed to the second Parish in said Town, for the Reasons mentioned.

Read and *Ordered*, That the Petitioners serve the Clerk of the first Parish in *Brookfield*, with a Copy of this Petition, that they shew Cause, if any they have, on the second Tuesday of the next Siting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Petition of  
*Jedediah Foster*

A Petition of *Jedediah Foster* and others, Inhabitants in the first Parish in *Brookfield*, praying that the said Parish may be divided into two equal Parts, as near as may be, for the Reasons mentioned.

Read and *Ordered*, That the Petitioners serve the Clerk of the said first Parish with a Copy of this Petition, that they shew Cause, if any they have, on the second Tuesday of the next Siting of this Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Petition of  
*Fall-Town*  
bro't down.

*John Otis*, Esq; brought down the Petition of sundry Inhabitants of *Fall-Town*, as entred the 7th of *September* last. Pass'd in Council, viz. In Council *December* 31st 1753. Read again, and no Answer being given, *Ordered*, That *Sylvanus Bourn* and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to take this Petition under Consideration, and report what they judge proper to be done thereon.

Sent down for Concurrence.

Read and concur'd, and Capt. *Elijah Williams*, Mr. *Moseley*, and Col. *Partridge*, are joined in the Affair.

Vote relating  
to Province  
Land.

*Whereas it hath been represented to this Court, that a small Tract of Land containing about two Hundred Acres, lying in the County of Hampshire, and bounding North on the Township of Springfield, and East on the Township of Brimfield, West on Land that was granted to Ebenezer Jones of Enfield, and South on Land that was granted to Capt. Thomas Colton of Springfield, now belongs to the Province, which will probably be useless to this Province, unless the same be sold:* Therefore,

*Ordered*,



Ordered, That Col. *Partridge*, and Col. *Worthington*, with such as the honourable Board shall join, be a Committee in Behalf of the Province fully impowred to make Sale of said Tract of Land at publick Vendue to the higheft Bidder, or otherwise, and to execute a good and sufficient Deed thereof to the Perfon who shall purchase the fame,  
Sent up for Concurrence.

*James Minot*, Esq; brought down the Vote of the House this Day, <sup>Vote relating</sup> reviving the Committee chosen in *June* last, to inquire into the Affairs <sup>to the Indian</sup> of the Indians at *Stockbridge* &c. Pass'd in Council, viz. In Council <sup>Affairs at Stock</sup> *December 31st 1753.* Read and concur'd, and Ordered, That *John* <sup>bridge.</sup> *Otis*, Esq; be of the Committee in the Room of *Ezekiel Cbeever*, Esq; who is absent.  
Sent down for Concurrence.  
Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Martis 1. Die Januarii, A. D. 1754.

A Bill Intitl'd *An Act to enable the Proprietors of Stow to raise* <sup>Bill enacted.</sup>  
*Money &c.*  
Read and Resolved, That the Bill pass to be enacted.

A Bill Intitl'd *An Act for preventing Mischief by unruly Dogs at a*  
*Place called Gay-Head on Martha's Vineyard.* <sup>Bill read.</sup>  
Read a second Time, and committed to Col. *White* to make the  
proposed Amendments.

A Petition of *Susanna Shephard* of *Boston*, Administratrix on the <sup>Petition of</sup>  
Estate of *Thomas Shephard*, late of *Boston*, deceas'd, praying for Liberty <sup>*Susanna Shep-*</sup>  
to make Sale of certain Lands in *Worcester* and *Liecester*, for the Reasons <sup>*hard.*</sup>  
mentioned.

Read and committed to *Samuel Welles*, Esq; to consider and report  
thereon.

A Memorial of *Timothy Prout*, Esq; of *Scarborough*, in the County of  
*York*, praying that his Action with *Samuel Libby* and others, may be <sup>Memorial of</sup>  
removed into some other County for Trial, for the Reasons mentioned, <sup>*Timothy Prout,*</sup>  
with a Vote of Council thereon. <sup>Esq;</sup>

Read and committed to Capt. *Livermore*, Mr. *Fry*, Col. *White*, Mr.  
*Nathanael Russel*, and Col. *Worthington*, to consider and report thereon.

*Samuel Watts*, Esq; brought down a Bill Intitl'd *An Act in Addition*  
*to An Act Intitl'd An Act empowering Justices of the Peace to decide* <sup>Bills read:</sup>  
*Differences not exceeding Forty Shillings.* Pass'd in Council to be en-  
gross'd.

Read a first Time, and Ordered, That the Bill have a second Read-  
ing to Morrow Morning ten o'Clock.

A Bill Intitl'd *An Act in Addition to and Explanation of An Act*  
*made in the 13th Year of his late Majesty King William Intitl'd An Act*  
*providing in Case of Sicknes.* Read a first Time, and

Ordered, That the Bill have a second Reading to Morrow Morning  
eleven o'Clock.

*Joseph*

Petition of *Edw. Groves* bro't down. *Joseph Pynchon*, Esq; brought down the Petition of *Edmund Groves*, and others, a Committee in Behalf of the Inhabitants of the Cape in *Gloucester*. Pass'd in Council, viz. In Council, *December 31. 1753.* Read again, and no Answer being given, *Ordered*, That the Prayer of the Petition be granted, and that the Parish Vote in *March* last be and hereby is confirmed, and that the Line mentioned in the Petition be extended on a North Course from Beaver Dam to Squam-Line, and that all the Polls and Estates lying within said Line Notherly and Northeasterly thereof to Squam Parish, be made a distinct and seperate Parish, that they do Duty & receive Privilege as other Parishes within this Province do or by Law ought to enjoy. Sent down for Concurrence.

Read and concur'd with the Amendments at A, and B.

Sent up for Concurrence.

Bill read.

A Bill Intitl'd *An Act in Addition to the several Laws of this Government made for the regulating General Fields.*

Read a second Time, and *Ordered*, That the Bill have a third Reading at three o'Clock Afternoon.

Petition of *Capt. Cobb.*

A Petition of *Capt. Thomas Cobb* of *Taunton*, praying that he may be allowed a new Trial in his Action with *John Codman* of *Charlestown*, for the Reasons mentioned.

Read and committed to *Col. Bradford*, *Col. White*, and *Capt. Marcy*, to consider and report whether it be reasonable to notify the adverse Party.

Report on Petition of *Timothy Walker.*

The Committee appointed on the Petition of *Mr. Timothy Walker*, as enter'd Yesterday, reported.

Read and accepted, and thereupon *Voted*, That the Secretary be directed to write to *William Bollan*, Esq; Agent for the Province, to aid and advise the said *Mr. Walker* in his Address to his Majesty, as requested in his Petition.

### *Post Meridiem.*

Petition of *Jonath. Clark*, bro't down. *Benjamin Lynde*, Esq, brought down the Petition of *Jonathan Clarke* and others, as enter'd the 17th of *December* last, together with a Bill Intitl'd *An Act to incorporate William Starkey and others by the Name of the Marine Society.* Pass'd in Council, viz. In Council *January 1st 1754.* Read a first and second Time, and pass'd to be engross'd.

Sent down for Concurrence.

Read a first Time, and *Ordered*, That the Bill have a second Reading on Thursday next at 12 o'Clock.

Petition of *Mashpee* Indians bro't down.

*George Leonard*, Esq; brought down the Petition of the *Mashpee* Indians, with the Answer thereto; also a Report of a Committee of both Houses.

Signed *Samuel Watts*, per Order.

With a Vote of Council thereon, viz. In Council, *January 1st 1754.* Read and accepted and *Ordered*, That the Petition mentioned in the above Report be dismiss'd.

Sent down for Concurrence.

Read and concur'd.

Bill read.

A Bill Intitl'd *An Act in Addition to the several Laws of this Government made for the regulating General Fields.*

Read a third Time, and *Ordered*, That the Bill be recommitted to make the proposed Amendments.

On a Motion made and seconded, *Ordered*, That a Message go up to the honourable Board, to desire they would send down the Petition of *Wyman* and *Parks*. Message to the Board.

*Sylvanus Bourn*, Esq; brought down the above Petition of *Wyman* and *Parks*.

On a Motion made and seconded, *Ordered*, That Mr. *Stevens* bring in a Bill to prevent Deceit in the packing of Pork and Fish. Liberty to bring in a Bill.

On a Motion made and seconded by divers Members, *Ordered*, That Mr. *Fletcher*, Mr. *Allen*, and Mr. *James Bowdoin*, be a Committee to prepare a Bill to regulate the Fees of the Custom-House and Naval Officers.

A Petition of *Joshua Winslow*, Esq; praying that he may be enabled to act as Treasurer for the County of *Suffolk* the Remainder of the present Year, to compleat the Accompts of the late Treasurer *Edward Winslow*, Esq; deceas'd. Petition of *Josh. Winslow*, Esq;

Read and committed to Capt. *Chandler*, Col. *White*, and Mr. *Tasler*, to consider and report thereon.

A Bill Intituled *An Act for empowering the Province Treasurer to borrow the Sum of Five Thousand Pounds, and for applying the same for the Redemption of the Bills of Credit of this Province that are still outstanding, and for making Provision for the Re-payment of the Sum so borrowed.* Bills read.

Read a first Time, and *Ordered*, That the Bill have a second Reading Thursday next at three o'Clock Afternoon.

A Bill Intituled *An Act to incorporate William Starkey, and others, by the Name of the Marine Society.* Read a first Time.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Mercurii 2. Die Januarii, A. D. 1754.

THE Committee on the Petition of Capt. *Thomas Cobb*, to inquire whether it is reasonable the adverse Party *John Codman* should be notified to give an Answer to the Petition. Report on Petition of Capt. Cobb.

Who reported they were of Opinion that the adverse Party should be notified; and thereupon *Voted*, That the Petitioner serve the adverse Party *John Codman* with a Copy of the Petition, that he shew Cause, if any he have, on Tuesday next, why the Prayer thereof should not be granted. Sent up for Concurrence.

A Petition of *Jasher Wyman* and *Edward Park*, as entred the 14th of December 1752. Read and *Ordered*, That the said Petition be revived, and that it be committed to Capt. *Livermore*, Mr. *James Bowdoin*, and Col. *Lawrence*, to consider and report thereon. Petition of *Wyman* and *Parks*.

*Isaac Royall*, Esq; brought down a Bill Intituled *An Act in Addition to an Act Intituled An Act to enable Creditors to receive their just Debts out of the Effects of their absent and absconding Debtors.* Pass'd in Council to be engross'd. Read a first Time.

The Committee appointed on the Petition of Sir *William Pepperrell*, Bart. reported according to Order. Report on Petition of Sir *Wm. Pepperrell*



Read and *Ordered*, That there be allowed and paid out of the publick Treasury to the said Sir *William Pepperrell*, the Sum of *one Hundred and forty Pounds* in full for his Pay and Services at *Cape-Breton*.

Sent up for Concurrence.

### *Post Meridiem.*

Petition of *Jacob Wendell*, Esq; brought down. *John Quincy*, Esq; brought down a Petition of *Jacob Wendell*, Esq; praying that the Division of the Lands in a Township called *Pontusuck*, in Consequence of an Order of the Superiour Court held in the County of *Hampshire* in *September 1752*, may be set aside, for the Reasons mentioned. Pass'd in Council, *viz.* In Council *January 2d 1754*. Read and *Ordered*, That the Petitioner notify the Persons concerned in this Petition, by causing the Substance thereof to be inserted in the Weekly News Papers called the *Post-Boy* and *Evening Post*, three Weeks successively, that so they may shew Cause, if any they have, on the second Wednesday of the next Sitting of this Court, why the Prayer thereof may not be granted; and all Proceedings in Consequence of the Division already made of the Lands mentioned in the Petition are stay'd in the mean Time.

Sent down for Concurrence.

Read and concur'd.

A Message from His Excellency the Governour by Mr. Secretary : Which he read, and laid on the Table.

His Excellency's Message is as follows, *viz.*

[Gentlemen]

Governour's  
Message relating to his  
Grant.

*Gentlmen of the Council and House of Representatives,*  
“THE Secretary hath laid before me your engros'd Bill, for granting me *Fourteen Hundred Pounds* for my past Services, and  
“ farther to enable me to manage the publick Affairs of the Province;  
“ upon which I must observe to you, that the Sum granted doth not  
“ exceed an ordinary Grant for the Services of the current Year more  
“ than the Value of *fifty Pounds Sterling*.  
“ I did not indeed arrive in the Province until the sixth of *August*;  
“ But if you consider, *Gentlemen*, that I spent the greatest Part of  
“ the last seven Weeks of my Stay in *England*, in soliciting and obtaining the Ordnance Stores, and that I then embark'd in a Season  
“ of the Year, in which my Passage was four or five Weeks longer  
“ than it probably would have been, if I had sail'd in the Spring;  
“ there can be no Pretence for withholding any Part of my ordinary  
“ Allowance for the current Year: And if you will but give yourselves the Trouble to look back into the Accounts of Charges, which  
“ have formerly attended the obtaining and transporting Ordnance  
“ Stores, you will find my Time was employ'd to good Purpose for  
“ you, and that I have sav'd you several Hundred Pounds Sterling  
“ by that, and the Cannon and Stores which I obtained for you, over  
“ and above those which you sent to *Louisbourg*.  
“ I mention'd to you my Service during my Absence in the Years  
“ 1750, 1751 and 1752, and I am not without Hopes that the good  
“ Effects of it may be soon felt by the Province more sensibly than it  
“ is at present; and if this should be the Case, altho' I never reap  
“ any other Satisfaction for that Service, I shall not regret the Time  
“ and Pains spent therein.

“ I

“ I acknowledge, *Gentlemen*, I had no Views of Recompence from you when I engag’d in it ; but I was detain’d in it much longer than I expected : The Charges of my Family left in the Province, were going on all the while, and you were making a considerable Saving out of the ordinary Salary to a Governour ; and I thought I had a good Foundation to mention these Things to you, and that they deserv’d your Consideration.

“ But my chief Design, *Gentlemen*, in this Message, is to put you in Mind of a very difficult Service, which I engag’d in so long ago as the Year 1745, and which I did not mention in my Speech, thinking it very possible that your own Memories would suggest it to you : I mean my Voyage to *Louisbourg*, which I undertook at the earnest Request of the two Houses.— The Importance of that Service to the great Interests which the Province had then depending, and the Circumstances which attended the Execution of it, are so well known to some Gentlemen among you, that it is needless for me to enter into a Detail of ’em here.

“ Upon my Return, which was in the Month of *December*, both the Council and House of Representatives, express’d a very high Sense of this Service, and a Vote pass’d the House for granting me a Sum which was in Value more than 300 £. Sterling for it :— I did not think it an adequate Recompence : I was in Hopes the Province would soon be made sensible of the Influence, this Service might have upon their Affairs then depending in *Great Britain*. I chose to avoid a publick Refusal, and signify’d my Mind to several Gentlemen that were Members of the House ; whereupon the Vote was laid aside, and one pass’d for £. 250 New Tenor, in full of my *Expences* only in my late Voyage ; and no Consideration hath been since had of the *Service*, nor have I ever receiv’d any Recompence for it.

“ I have not been disappointed in my Expectation of the good Effects of the Service ; nor have you, *Gentlemen of the House of Representatives*, any Reason to estimate it at a less Rate than did the House of Representatives of 1745.

“ It is no Pleasure to me to urge these Things upon you ; but as my whole Time is spent in the Service of the Publick, Justice to myself and Family obliges me to endeavour that I may receive a reasonable Consideration for it, and I doubt not you will readily grant it me.

Council Chamber

W. SHIRLEY.

Jan. 2d 1754.

Ordered, That His Excellency’s Message be taken under Consideration to Morrow Morning eleven o’Clock.

A Petition of *Elizabeth Wages*, an Indian Woman of *Natick*, praying for Relief, for the Reasons mentioned.

Petition of  
*Eliz. Wages.*

Read and committed to Mr. *Bucknam*, Col. *Buckminster*, and Mr. *Witt*, to consider and report thereon.

A Bill Intituled *An Act in Addition to and Explanation of an Act made in the 13th Year of his late Majesty King William Intituled An Act providing in Case of Sicknefs.*

Bill read

Read a second Time, and the Question was put, *Whether the Bill have a third Reading ?* It pass’d in the Negative.

A

Bill read. A Bill Intitl'd *An Act in Addition to an Act impowering Justices of the Peace to decide Differences not exceeding Forty Shillings.*

Read a second Time, and Ordered, That the Bill have a third Reading to Morrow at three o'Clock Afternoon.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

### Jobis 3. Die Januarii, A. D. 1754.

Bill engros'd.

A Bill Intitl'd *An Act in Addition to the several Laws of this Government made for the regulating General Fields.*

Read a third Time, and pass'd to be engros'd.

Sent up for Concurrence.

Report on  
Rutland Di-  
strict.

The Committee appointed to prepare a Vote respecting the Northwest District in *Rutland*, reported.

Read and accepted, and Voted, That the Assessors of the Northwest District of the Town of *Rutland*, assess the Inhabitants of said District the Sum of *four Pounds*, being their Proportion of the Sum assessed on said Town of *Rutland* the last Year, for the Pay of the Representatives; and that the Constable to whom said Assessment shall be committed, pay the same into the Town-Treasury of said Town of *Rutland*, for the Use of said Town; and that for the future, the said District be assessed their due Proportion towards paying a Representative, the same to be proportioned agreeable to the Province Tax from Time to Time.

Sent up for Concurrence.

Bill engros'd:

A Bill Intitl'd *An Act for preventing Mischief by unruly Dogs on the Islands of Martha's Vineyard, and also on the Island of Nantucket.*

Read a first second and third Time, and pass'd to be engros'd.

Sent up for Concurrence.

The House took under Consideration His Excellency's Message of Yesterday, and after a large Debate had thereon, the further Consideration thereof was refer'd to the Afternoon.

### Post Meridiem.

Petition of  
*Joshua Davis.*

A Petition of *Joshua Davis* of *Brookline*, praying that he may be Licensed to keep a House of publick Entertainment in said Town, for the Reasons mentioned.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, now sitting, be and hereby are impowred, if they think fit, to grant a Licence to the Petitioner *Joshua Davis*, to keep a House of publick Entertainment in *Brookline*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Debate on  
Gov. Grant.

The House resumed the Consideration of His Excellency's Message of Yesterday, and after a large Debate had thereon, the Question was put, *Whether any Grant shall be made in Consequence of said Message?*

It pass'd in the Negative.

Yeas,



## Yeas.

Samuel Welles, Esq;  
 Mr. James Bowdoin,  
 Mr. Joseph Bent,  
 Joseph Richards, Esq;  
 Mr. William Bowdoin,  
 Henry Gibbs, Esq;  
 John Taskar, Esq;  
 Mr. William Stevens,  
 Mr. William Fletcher,  
 David Phipps, Esq;  
 Mr. John Hunt,  
 Mr. Ephraim Jones,  
 William Lawrence, Esq;  
 Capt. Enoch Kidder,  
 Joseph Buckminster, Esq;  
 Capt. Benjamin Read,  
 Mr. Ephraim Spaulding,  
 Mr. Elisha Jones,  
 Mr. Nathanael Russell,  
 John Worthington, Esq;  
 Oliver Partridge, Esq;  
 Elijah Williams, Esq;  
 John Candler, Esq;  
 Joseph Wilder, Esq;  
 Capt. William Ayers,  
 Thomas Steel, Esq;  
 Mr. John Murray,  
 Mr. William Downe,  
 Capt. Moses Marcy,  
 Mr. Joseph Taft,  
 Gamaliel Bradford, Esq;  
 David Stockbridge, Esq;  
 James Otis, Esq;  
 John Freeman, Esq;  
 Samuel White, Esq;  
 Ezra Richmond, Esq;  
 Mr. William Slade,  
 Mr. Nathanael Wells,  
 Jedediah Prebble, Esq;  
 Mr. Avisbia Folger,  
 Enoch Coffin, Esq;

## Nays.

James Allen, Esq;  
 Capt. Joseph Williams,  
 Robert Spurr, Esq;  
 Mr. John Ruggles,  
 Capt. Thomas Pratt,  
 Mr. James Cushing,  
 Mr. Peter Coolidge,  
 Mr. John Goldsbury,  
 Mr. Joseph Hewen,  
 Mr. Jonathan Adams,  
 Francis Cogswell, Esq;  
 Mr. Benjamin Greenleaf,  
 Joseph Gerrish, Esq;  
 Capt. Benjamin Newhall,  
 Capt. Henry Herrick,  
 Mr. Thomas Lancaster,  
 Mr. Abraham Morril,  
 Capt. Benjamin Milleken,  
 Mr. Jonathan Foster,  
 Mr. Elijah Porter,  
 Mr. James Russell,  
 Ebenezer Nichols, Esq;  
 Henry Gibbs, Esq;  
 Mr. John Noyce.  
 Mr. Samuel Witt,  
 Josias Bucknam, Esq;  
 Samuel Livermore, Esq;  
 Mr. Stephen Hall,  
 Mr. Gideon Lyman,  
 David Mosely, Esq;  
 John Sherman, Esq;  
 Mr. Phineas Haywood,  
 Mr. Daniel Greenwood,  
 Capt. Timothy Brigham,  
 Mr. Ensign Otis,  
 Capt. Josiah Edson,  
 Mr. Israel Turner,  
 Mr. Isaac Bonny,  
 Capt. Nathanael Smith,  
 Mr. Jacob Porter,  
 Capt. Nathanael Sole,  
 Mr. Benjamin Day,  
 Mr. John Bradbury,  
 Nathanael Sparhawk, Esq;

Yeas &amp; Nays.

[Jacob Cushing]

[Josiah Taft]

[Abishai]

On a Motion made and seconded, Ordered, That James Allen, Esq;  
 Mr. Witt, Mr. Cogswell, Mr. Gibbs of Newton, and Mr. Pratt, be a  
 Committee to prepare an Answer to His Excellency's Message of the  
 2d Instant.

The Committee appointed on the Petition of Joshua Winslow, Esq;  
 as entered the first Instant, reported.

T t

Read

Read and accepted, and thereupon *Voted*, That the Prayer of the Petition be so far granted, as that the Petitioner be and hereby is authorized and impowred to act as County-Treasurer for the County of *Suffolk*, for the remaining Part of the present Year, so that he may perfect the Business which his deceased Father left incomplete at the Time of his Discease, as mentioned in said Petition; and the respective Sums which he shall receive from the respective Constables in Consequence of this Order, he to account for the same as other County Treasurers are obliged to do agreeable to the Laws of this Province.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Veneris 4. Die Januarii, A. D. 1754.

Report on  
*Essex* Excise.

*Sylvanus Bourn*, Esq; brought down the Report of the Committee for farming the Excise in the County of *Essex*. Read and committed to Col. *White*, Col. *Richards*, and Col. *Buckminster*, to consider and report thereon.

Report on  
Petition of  
*Wyman* and  
*Parks*.

The Committee appointed on the Petition of *Jasper Wyman & Edward Park*, as entered the 2d Instant, reported.

Read and accepted, and *Ordered*, That there be and hereby is granted to the said *Jasper Wyman*, five Hundred Acres of Land, and to the said *Edward Park* three Hundred Acres of Land, out of the unappropriated Lands of the Province, in full Satisfaction for the Land (and all Charges arising therefrom) which the said *Jasper* and the Assigns of the said *Edward* have been ejected out of, by the Proprietors of the common & undivided Lands lying within the Bounds of the Township formerly called *Dunstable*, and which the said *Jasper & Edward* held by Purchase from this Province; provided the said Petitioners lay out their Grants adjoining to some Township in a regular Form, and do not interfere with any former Grant, and return Platts of their Lands they lay out to this Court within twelve Months for Confirmation.

Sent up for Concurrence.

Petition of  
*Sam. Giddinge*  
bro't down.

*John Otis*, Esq; brought down the Petition of *Samuel Giddinge*, and others. Pass'd in Council, viz. In Council *January* 3d 1754. Read again, together with the Answer of the second Parish in *Ipswich*, and *Ordered*, That *James Minot* and *Benjamin Lincoln*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and report as soon as may be what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and nonconcur'd, and *Ordered*, That the Petition be dismiss'd.

Report on  
a Part of the  
Governour's  
Speech.

*John Quincy*, Esq, brought down the Report of a Committee of both Houses on that Part of His Excellency's Speech relating to putting the several Forts and Garrisons thro'out the Province into a Posture of Defence, as also His Excellency's Message of the 13th of *December* last.

Signed *William Pepperrell*, per Order.

Read and accepted, and *Ordered*, That the Sum of seven Hundred Pounds be paid out of the publick Treasury to *John Wheelwright*, Esq; Commissary-General, to be by him employed in purchasing the Guns, &c. and making the Repairs of the Forts and Garrisons as mentioned

in said Report, and that the Commissary be directed to dispose of the old Cannon and Small-Arms in the several Garrisons, and in his Store, the Proceeds to be employed towards said Repairs.

Sent up for Concurrence.

The Committee of both Houses on that Part of His Excellency's Speech relating to Forts and Garrisons, &c. reported, a Message which they have prepared to be sent to His Excellency respecting the Incroachments of the *French* upon His Majesty's Territories in *North-America*. Committees Report.

Read and accepted, and Ordered, That Mr. Speaker, Mr. *Welles*, Col. *Worthington*, Col. *Partridge*, and Col. *White*, with such as the honourable Board shall join, be a Committee to wait upon His Excellency the Governour with said Message.

Sent up for Concurrence.

The Committee appointed on the Petition of *Susanna Shephard*, as entred the first Instant, reported. Report on Petition of *Susanna Shephard*.

Read and accepted, and Ordered, That the Prayer of the Petition be granted, and that the Petitioner be enabled and impowred to make Sale of the Lands mentioned in the Petition, first giving publick Notice thereof, and to make and execute a good Deed or Deeds of the same in the Law, she giving Caution to the Judge of Probate for the County of *Suffolk*, to apply the Proceeds of the Sale of the said Lands for the Support and Education of the Children of her late Husband *Thomas Shephard*, deceas'd, and the Surplusage, if any there be, shall be divided to and among the Children and Heirs of the said *Thomas*, when they come of Age. Sent up for Concurrence.

A Bill Intituled *An Act to prevent Deceit in packing of Pork which is offered for Sale within this Province.* Bill read.  
Read a first Time.

A Bill Intituled *An Act for empowering the Province Treasurer to borrow the Sum of Five Thousand Pounds, and applying the same for the Redemption of the outstanding Province Bills, &c.*

Read a second Time and recommitted in order to make the proposed Amendments.

### *Post Meridiem.*

*Jacob Wendell*, Esq; brought down the Petition of *Thomas Berry*, Esq; and others. Pass'd in Council, viz. In Council January 3d 1754. Petition of *Thomas Berry*, Esq; bro't down.  
Read again, together with the Answer of the Heirs of *John Coggsball*, and Ordered, That the Petition be re-committed to the same Committee to hear the Parties, and make Report to this Court as soon as may be what they judge proper to be done thereon. [Coggsball]

Sent down for Concurrence. Read and concur'd.

*John Otis*, Esq; brought down the Petition of sundry Inhabitants of *Fall-Town*, with a Report of a Committee of both Houses. Report on Petition of *Fall-Town*.

Signed *Sylvanus Bourn*, per Order.

Pass'd in Council, viz. In Council January 3d 1754. Read and accepted, and Ordered, That *Eleazer Porter*, Esq; with such as the honourable House shall join, be a Committee for the Purposes above-mentioned.

Sent down for Concurrence.

Read and concur'd, and *Elijab Williams* and *Oliver Partridge*, Esqrs; are joined in the Affair.

The



Report on  
Petition of  
*Josiah Brown.*

The Committee appointed on the Petition of Capt. *Josiah Brown* of *Sudbury*, reported verbally.

Read and Ordered, That the Petition be referred to the next Sitting of the Court for Consideration.

Bill read.

A Bill Intituled *An Act in Addition to an Act Intituled An Act empowering Justices of the Peace to decide Differences not exceeding forty Shillings.*  
Read a second Time.

Petition of  
Inhabitants of  
*Cambridge*  
Southerly  
Side of the  
River bro't  
down.

*John Otis*, Esq; brought down the Petition of fundry Inhabitants in *Cambridge*, on the Southerly Side of the River. Pass'd in Council, viz. In Council *January 2d 1754.* Read again, together with the Answer of the first Parish in *Cambridge*, and *Caleb Dana* and others, Inhabitants on the South Side of *Charles-River*, and *Richard Dana*, Proprietor of Lands on the South Side of *Charles River*, in *Cambridge*; and Ordered, That *Sylvanus Bourn* and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and if Need be to repair to the Lands petitioned for, view the same, and make Report what may be proper to be done thereon as soon as may be.

Sent down for Concurrence.

Read and concur'd, and Col. *Bradford*, Col. *White*, and *Robert Spurr*, Esq; are joined in the Affair.

Petition of  
Committee  
of first Parish  
in *Cambridge*  
bro't down.

*John Otis*, Esq; brought down the Petition of a Committee of the first Parish in *Cambridge*. Pass'd in Council, viz. In Council *January 2d 1754.* Read again, together with the Answer of a Committee of the Town of *Charlestown*, and the Answer of *Thomas Goddard*, and others, Inhabitants of that Part of *Charlestown* petitioned for by the first Parish in *Cambridge*; and Ordered, That *Sylvanus Bourn* and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and if Need be, repair to the Lands petitioned for, view the same, and make Report to this Court as soon as may be, what they judge proper to be done thereon.

Sent down for Concurrence.

Read and concur'd, and Col. *Bradford*, Col. *White*, and *Robert Spurr*, Esq; are joined in the Affair.

Petition of  
*Medford* bro't  
down.

*John Otis*, Esq; brought down the Petition of a Committee of the Town of *Medford*. Pass'd in Council *January 12th 1754.* Read again, together with the Answer of a Committee of the Town of *Charlestown*, and the Answer of *William Symms*, and others, Inhabitants of that Part of *Charlestown* petitioned for by the Town of *Medford*, and Ordered, That *Sylvanus Bourn* and *Eleazer Porter*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and if Need be, to repair to the Lands petitioned for, view the same, and make Report to this Court, what they judge proper to be done thereon, as soon as may be.

Sent down for Concurrence.

Read and concur'd, and Col. *Bradford*, Col. *White*, and *Robert Spurr*, Esq; are joined in the Affair.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Sabbati 5. Die Januarii, A. D. 1754.

A Bill Intituled *An Act for dividing the County of York, and for erecting and making the Easterly Part of the same into a seperate and distinct County, and for establishing Courts of Justice within the same.* Bill read  
Read a second Time, and

Ordered, That the further Consideration of said Bill be refer'd to the next Siting of this Court, and the Clerk of General Sessions of the Peace for the County of *York*, be directed to make Publick the Substance of said Bill, at the next Court holden in said County, and also publish the same in the *Post-Boy* three Weeks successively.

A Petition of *Seth Bangs* of *Harwich*, Guardian to *Abijah Bangs* of said *Harwich*, a Minor, praying he may be impowred to make Sale of certain Lands mentioned in the Petition belonging to said Minor, for the Reasons mentioned. Petition of *Seth Bangs*.

Read and committed to Mr. *Freeman*, Mr. *Goldsberry*, and Mr. *Stockbridge*, to consider and report thereon.

The Committee appointed on the Petition of *John Robinson*, as entred the 15th Day of *December* last, reported. Report on Petition of *John Robinson*.

Read and accepted, and thereupon Voted, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed out of the publick Treasury the Sum of *three Pounds eleven Shillings & ten Pence*, in full Discharge of his Account. Sent up for Concurrence.

The Committee appointed on the Petition of *Eliz. Wages*, as entred the 2d Instant, reported. Petition of *Eliz. Wages* dismissed.

Read and not accepted, and Ordered, That the Petition be dismiss'd.

A Bill Intituled *An Act to incorporate William Starkey, and others. by the Name of the Marine Society.* Read a second Time. And Ordered, That the Bill have a third Reading on Tuesday next.

*Isaac Royall*, Esq; brought down the Petition of *Thomas Berry*, Esq, with a Report of a Committee. Signed *John Quincy*, per Order. Petition of *Tho. Berry* bro't down.

Pass'd in Council, viz. In Council, *January* 5th. 1754. Read and accepted, and Ordered, That the Petitioners serve the Town-Clerk of the Town of *Ipswich*, with a Copy of this Petition, that they shew Cause, if any they have, on the first Friday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent down for Concurrence. Read and concur'd.

Mr. Secretary brought down a Letter directed to His Excellency the Governour, dated *Cape-Cod*, *December* 24th 1753. signed T. S. which was read, and thereupon Ordered, That Col. *Otis* be directed to write to the Person who signed said Letter, that he forthwith repair to *Boston*, and that his Expences be born by the Province. Letter directed to His Excellency.

Sent up for Concurrence.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon













# VOTES

Of the House of Representatives.

A decorative horizontal border consisting of a series of repeating stylized floral or star-like motifs.

Lunæ 7. Die Januarii, A. D. 1754.


 Saac Royall, Esq; brought down the following Vote of  
 Council, viz. In Council *January 5th 1754. Ordered,*  

 That *Joseph Pyncheon, and Benjamin Lincoln, Esqrs;* be  

 of the Committee on the Petitions of the first Parish in  

 the Town of *Cambridge,* of the Town of *Medford,* and  
 the Inhabitants of the South Side of *Charles-River* in *Cambridge,* in the  
 Room of *Sylvanus Bourn & Eleazer Porter, Esqrs;* who desire to be excused.

Sent down for Concurrence.      Read and concur'd.

Whereas by Law the Court of General Sessions of the Peace and Inferi-our Court of Common Pleas for the County of Barnstable, was to have been holden on the third Tuesday of January Instant, and many concerned in said Courts are Members of the General Court, which it's probable will be Sitting at that Time : Therefore,

Ordered, That the said Courts of General Sessions of the Peace and Inferiour Court of Common Pleas &c. be and they are hereby adjourned to the first Tuesday of *February* next: And all Officers and others concerned in said Courts are to conform themselves accordingly. And all Processess and other Matters and Things depending in said Courts, and which by Law are to be heard and tried and proceeded upon on the said first Tuesday of *January* Instant, shall be heard tried and proceeded upon on the said first Tuesday of *February* next; and the Justices of the said Courts are hereby required to conform themselves accordingly. Sent up for Concurrence.

*Sylvanus Bourn*, Esq; brought down the Petition of *Jasper Wyman* and *Edward Park*. Pass'd in Council, viz. In Council *January 5th* 1754. Read and concur'd with the Amendment at A. Petition of *Jasper Wyman* bro't down.

Sent down for Concurrence.                      Read and concur'd.

On a Motion made and seconded, *Ordered*, That Mr. *Welles*, Col. *Bradford*, and Col. *White*, be a Committee to inquire into the Circumstances of the Lands forfeited to the Government lying in the County of *Plymouth*, as also to inquire into the Circumstances of the Lands forfeited on Account of the *One Hundred Thousand Pounds Loan*.

Report on  
Petition of  
*Edw. Child &c.*

The Committee appointed on the Petition of *Edward Child* and *Abigail Gridley* of *Roxbury*, reported according to Order.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted as that they be impowred to sell the half Part of the House and Land as mentioned in the Petition, for the most it will fetch, first giving publick Notice of the Time and Place of such Sale, and to execute a good & sufficient Deed or Deeds thereof, they giving Security to the Judge of Probate for the County of *Suffolk*, that the Net Proceeds shall be forth coming when the Children shall come of Age, with the Interest thereon, reserving one third Part of the Interest for the said *Abigail* during her natural Life. Sent up for Concurrence.

A Bill Intituled *An Act for the unnecessary Destruction of Alewives in the Town of Sandwich*. Read a first Time.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Partis 8. Die Januarii, A. D. 1754.

Bills read &c.

**A** Bill Intituled *An Act in Addition to the several Laws of this Government made for the regulating General Fields*.  
Read and *Resolved*, That the Bill pass to be enacted.

A Bill Intituled *An Act for the unnecessary Destruction of Alewives in the Town of Sandwich*. Read a second Time.

And the Question was put, *Whether the Bill have a third Reading?*  
It pass'd in the Negative.

A Bill Intituled *An Act for empowering the Province Treasurer to borrow the Sum of Five Thousand Pounds, and applying the same for the Redemption of the outstanding Province Bills, &c.*

Read a third Time and pass'd to be engross'd.

Sent up for Concurrence by Mr. *James Bowdoin*, Capt. *Chandler*, Mr. *Stevens*, Capt. *Smith*, and *Thomas Steel*, Esq;

A Bill Intituled *An Act in Addition to an Act Intituled An Act to enable Creditors to receive their just Debts out of the Effects of their absent and absconding Debtors*.

Read a second Time, and *Ordered*, That the Bill have a third Reading to Morrow Morning at ten o'Clock.

Message to the  
Board.

On a Motion made and seconded, *Ordered*, That *Nathanael Sparhawk*, Esq; go up to the honourable Board, to inquire, whether they have pass'd on the several Votes pass'd this House in their several Sessions this Year, making the late Treasurer *William Foye*, Esq; accountable for certain Sums of Money.

Who returned that he was informed they had not pass'd on them.

Report on  
Petition of  
*Seth Bangs*.

The Committee appointed on the Petition of *Seth Bangs*, as entred the fifth Instant, reported that they are of Opinion that the Prayer of the Petition be not granted.

Read and accepted, and *Ordered*, That the Petition be dismiss'd.

A

A Bill Intituled *An Act in Addition to an Act empowering Justices of the Peace to decide Differences not exceeding Forty Shillings.* Bills read.

Read a third Time and concur'd with the Amendment at A.  
Sent up for Concurrence.

A Bill Intituled *An Act to incorporate William Starkey and others by the Name of the Marine-Society.*

Read a third Time and concur'd with the Amendment at A.  
Sent up for Concurrence.

Mr. Secretary brought down a Letter from Monsieur Du Quesne, Governour of Canada, to His Excellency the Governour, dated *Mont-Real, December 1st 1753.* And also a Letter from Mr. Natbanael Wheelwright, dated *Mont-Real, November 30th 1753.* to his Excellency the Governour : Both which he read, and then laid them on the Table. [Duquesne] Letters to His Excellency.

On a Motion made and seconded, *Ordered,* That Capt. Chandler, and Mr. Welles, be added to the Committee on the late Treasurer's Accounts.

### *Post Meridiem.*

A Bill Intituled *An Act to prevent Deceit in packing of Pork which is offered for Sale within this Province.* Bill read.  
Read a second Time.

And the Question was put, *Whether the Bill should have a third Reading ?* It pass'd in the Negative.

*Ordered,* That Mr. Speaker, Mr. Stevens, and Mr. Welles, be a Committee to prepare a Bill for the Purpose above-mentioned, in the Re-cess of the Court.

On a Motion made and seconded, *Ordered,* That Mr. Welles, Mr. Committee. Russell, and Col. Partridge, be a Committee to prepare a Resolve to be passed by the Court in order to rectify a Mistake in the last Tax Act.

John Chandler, Esq; brought down the Bill Intituled *An Act to incorporate William Starkey and others by the Name of the Marine-Society.* Bill bro't down.  
Pass'd in Council, viz. In Council January 8th 1754. Read and concur'd with the Amendment at B, viz. dele—2000—and insert —500—  
Sent down for Concurrence.

Read and concur'd.

*Ordered,* That Mr. Speaker, Col. Partridge, and Mr. Lyman, with such as the honourable Board shall join, be a Committee to take under Consideration the Letter of the Governour of Canada, and Mr. Wheelwright, to His Excellency the Governour, and report what may be proper to be done thereon. Committee on Letters.  
Sent up for Concurrence.

A Bill Intituled *An Act for incorporating the Plantation called Bedford in the County of Hampshire into a seperate District by the Name of——* Bill read.  
Read a first Time, and *Ordered,* That the Bill have a second Reading to Morrow Morning ten o'Clock.

The Committee appointed on the Petition of Benjamin Tucker, as entered the 28th of December last, reported. Report on Petition of Benj. Tucker,  
Read and *Ordered,* That the Petition be referred to the next Sitting for Consideration.



Petition of *James Milk &c.* bro't down. *Josiah Willard, Esq;* brought down the Petition of *James Milk and Wheeler Riggs of Falmouth.* Pass'd in Council, viz. In Council January 8th 1754. Read and *Ordered*, That the Prayer of the Petition be and hereby is granted, and the Justices of the Court of General Sessions of the Peace for and within the County of *York*, are impowred at their next Siting, if they see Cause, to grant a Licence to the Petitioners for the Purposes within mentioned, upon their producing a Recommendation pursuant to Law. Sent down for Concurrence.

Report on Petition of *Robert Auchmuty.* The Committee appointed on the Petition of *Robert Auchmuty*, as entered the 6th of *September* last, reported. Read and *Ordered*, That the Petition be referred to the next Session for further Consideration.

Secretary directed to attend the House. *Ordered*, That the Secretary be directed to attend the House, that he may be enquired of whether the Votes of this House at their Session in *May* last respecting the dismissing the Soldiers at *Fort-Dummer* Numb. *Four*, &c. have passed the whole Court.

The Secretary attended the House, and informed them that the Board had concurred the House on their Vote respecting Numb. *Four*, and that he had laid the same before his Honour the Lieutenant Governour, but that he had not given his Consent thereto; and that the other was not passed on by the Board.

Order to the Clerk.

*Ordered*, That the Clerk of the House prepare the Papers and Evidences upon which the House proceeded to make the late Treasurer accountable for certain Sums of Money at their Session in *May* last, that they may be sent up to the honourable Board.

Report on Treasurer's Petition.

The Committee appointed on the Petition of *Harrison Gray, Esq;* Province-Treasurer, reported, which was accepted, and *Ordered*, That the Petition be dismiss'd, in as much as the Court in *December* 1742, made sufficient Provision as to the Matters contained in said Petition.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Mercurii 9. Die Januarii, A. D. 1754.

Bill engross'd.

A Bill Intituled *An Act for incorporating the Plantation called Bedford in the County of Hampshire into a seperate District by the Name of ———*

Read a second and third Time, and pass'd to be engross'd. Sent up for Concurrence.

Order on a Representation of Mr. Cogswell.

*Whereas Francis Cogswell, Esq;* hath represented to this House that by the Tax Bill passed at last May Session, the Town of Ipswich had One Hundred and ten Pounds nineteen Shillings & four Pence, last Emission, added to their Tax in Consequence of a Vote of this Court, and in reducing said Sum into Lawful Money, there appears a Mistake of Nine Pounds one Shilling and nine Pence Lawful Money, the said Town is taxed more than they ought to be: Therefore,

*Ordered,*

*Ordered*, That the Province-Treasurer pay to the said Town of *Ipswich*, for the Use of said Town, the Sum of *nine Pounds one Shilling and nine Pence*.

Sent up for Concurrence.

*John Greenleaf*, Esq; brought down the Report of the Committee for Farming the Excise for the County of *Essex*. Read and accepted, *Report on Essex Excise.* and *Ordered*, That the Sum of *six Pounds ten Shillings and nine Pence*, be allowed and paid out of the publick Treasury to said Committee, for their Charge and Expence in farming said Excise.

Sent up for Concurrence.

*Voted*, That His Excellency the Governour be desired to issue out his Orders, that the ten Men posted at Numb. *Four* (so called) be withdrawn and disbanded as soon as may be, and to direct Capt. *Phinebas Stevens* to take Care that the Artillery and other Warlike Stores there be secured for the Service of the Government. *Vote relating to No. Four.*

Sent up for Concurrence.

*Voted*, That His Excellency the Governour be desired to withdraw and disband all the Men posted at *Fort-Massachusetts*, except Ten, as soon as may be. *Fort-Massachusetts.*

Sent up for Concurrence.

*Benjamin Lincoln*, Esq; brought down the Petition of *Ebenezer Lowell* of *Boston*. Pass'd in Council, viz. In Council *January* 9th 1754. Read and *Ordered*, That the Prayer of the Petition be so far granted, as that the Justices of the General Sessions of the Peace for the County of *Suffolk*, at their present Siting, if they see Cause, be and hereby are impowred to grant the Petitioner a Licence to retail strong Liquors for the remaining Part of the present Year; provided he obtain the Approbation of the Select-Men of the Town of *Boston*, the Time for granting Licences being elapsed notwithstanding. *Order on the Petition of Eben. Lowell.*

Sent down for Concurrence. Read and concur'd.

A Bill Intituled *An Act in Addition to an Act Intituled An Act to enable Creditors to receive their just Debts out of the Effects of their absent or absconding Debtors.*

Read a third Time, and concur'd.

The Committee appointed on the Memorial of *Oliver Partridge*, Esq; as entred the 26th Day of *December* last, reported. *Report on Memorial of Oliver Partridge, Esq;*

Read and accepted, and thereupon *Voted*, That *John Worthington*, Esq; and Mr. *Gideon Lyman*, with such as the honourable Board shall join, be a Committee in Behalf of the Province, to make Sale in some Part of the County of *Hampshire*, of the Lands mentioned in the Petition, in two equal Allotments, to such as will give most for the same, giving Notice publickly of the Time and Place of Sale; and they are hereby impowred to give good & sufficient Deeds of said Land to such Purchasers; and they are also directed to take Bond of each of such Purchasers for the Sum of *one Hundred Pounds*, for their building on such Allotments respectively, a good Dwelling-House not less than eighteen Feet Square and seven Feet Sudd, and for their clearing and bringing under Improvement either by Plowing or Mowing, five Acres of said Land in five Years, and for their living thereon either by themselves or Assigns, the first ten Years of the next fifteen; provided there be not a French or Indian War in said Time; and that the Memorialist be allowed *fifty Shillings* out of the Proceeds of the Sale of said Lands

for his Service in surveying the same, the Committee to be accountable to this Court for their Doings herein, and lodge the Bonds with the Province-Treasurer. Sent up for Concurrence.

*Post Meridiem.*

Bill read.

*James Minot, Esq;* brought down a Bill Intituled *An Act for erecting the Plantation at Nichawage in the County of Worcester into a District by the Name of——*

Pass'd in Council, *viz.* In Council *January* 9th 1754. Read a first and second Time, and pass'd to be engross'd. Read a first Time.

The Committee appointed to prepare an Answer to His Excellency's Message of the second Instant, reported an Answer.

Which is as follows,

*May it please your Excellency,*

Answer to his  
Excellency's  
Message of  
the 2d Instant.

THE House having received your Excellency's Message of the 2d Instant, apprehend they are by no Means accountable for their voting : But agreeing to make an Answer, are humbly of Opinion, they have a Right to say, they have acted their Judgment after a full Debate, and mature Deliberation founded upon the well rul'd Standard of weighing Services done, and the Ability of the People ; on which Foot the House are conscious to themselves to have fully acted up to their Duty to your Excellency, and up to (if not beyond) Justice due to our Constituents ; and even in the Light your Excellency is pleased to place it : We observe with Pleasure, the Satisfaction expressed by your Excellency, resulting from a Consciousness of doing Service to the Province under your Care, and pointing to us that such Services carry their own Reward to a generous Benefactor ; and therefore are of Opinion, that even a small Acknowledgement must render the Reward Adequate and Compleat.

As to the Circumstances of your Excellency's Arrival &c. The House lay no Strefs upon them, as you are pleased to lay none upon some Articles mentioned in General, which admit of no particular Answer : for which Reasons, the House would by no Means be officiously Troublesome, by entring into a large Detail of Particulars, which reduced to a proper Account Currant, must think the Ballance rather overpaid, especially as to the Service at *Louisbourg*, mainly urged and insisted upon ; as we apprehend His Majesty was graciously pleased to confer a Colonel's Commission upon your Excellency, for the Command of a Regiment, profitable to your self and Family ; the good Effects of which in Possession, we must presume more sensibly felt, than any in Reversion ; and that his Majesty's gracious and paternal Intention was to excuse his loyal and then distressed Subjects, from a Reward of that particular Service, so amply rewarded by his Majesty himself, if the Preservation of the Conquest (without which no Regiment could be wanted) had been intirely owing to your Excellency's Influence.

Justice to our Selves and to our Constituents oblige us not to exceed a reasonable Grant already made, which we presume your Excellency may judge to be such, but not yet refusing the Bill, and upon Recollection may accept the Grant, as one has been made of *Two Thousand Pounds* Old Tenor, for the Expences of your Voyage ; and a Sum more in Value than *Three Hundred Pounds* Sterling, as a Gratuity ; which



which as you was pleased not to accept, the Province has lost the Benefit of, in the Reimbursement ; which Benefit they had in the Case of Sir *William Pepperrell's* Pay, and ought not with any other Savings to be misapplied, and defeat the Thing.

As to any Addition to the Cannon and Stores returned us at the Expence of above *fifty Pounds* Sterl. we with great Gratitude acknowledge his Majesty's Royal Grace and Favour, who gives like himself, and esteems it our Honour and Happiness to be most loyal Subjects to the best of Princes ; and this as one Instance among many, of his Majesty's paternal Care and Goodness, which in his Royal Bounty is extended to *Maryland*, by ordering them thirty Pieces of Cannon, Powder &c. for their Protection ; and we doubt not free of Charges, as we apprehend it the constant Custom of the Crown ; and this done without the Influence of their Governour on the Spot.

The House might easily give more and particular Reasons, but far removed from any Inclination to a Dispute, apprehend the Reasons already offered quite sufficient ; and beg Leave to assure your Excellency, it would give them vast Pleasure to cultivate a good Harmony with the several Branches of the Government, and in particular with your Excellency, upon an honourable Footing, and without the Expence of our Reason and Understanding, however small.

*Voted*, That the foregoing Answer to the Governour's Message, be considered to Morrow three o'Clock Afternoon.

On a Motion made and seconded, *Ordered*, That the House proceed to the Choice of a Person to preach a Sermon on the Day of the next Election of Councillors, to Morrow eleven o'Clock.

Order relating  
to Election  
Sermon.

A Petition of *Jonas Clarke*, Esq; of *Boston*, praying that he may be allowed a Re-hearing of his Action with *Jaazaniah How & John Snow* of *Liechester*, for the Reasons mentioned.

Petition of  
*Jonas Clarke*  
Esq;

Read and *Ordered*, That the Petitioner serve the adverse Parties *Jaazaniah How* and *John Snow*, with a Copy of this Petition, that they shew Cause, if any they have, on the second Friday of the next Sitting of this Court, why the Prayer thereof should not be granted, and that Execution be stayed in the mean Time, provided the Petitioner give Bond to the Sheriff of the County of *Suffolk* for the Payment of the Sums that the said *How* and *Snow*, or either of them, shall finally recover, with Interest from this Time. Sent up for Concurrence.

*John Quincy*, Esq; brought down the Report of the Committee appointed to farm the Excise in the County of *York*.

Report on  
*York* Excise.

Read and accepted, and *Ordered*, That the Sum of *two Pounds sixteen Skillings & eight Pence*, be allowed and paid out of the Province Treasury to said Committee for their Time and Expence in farming said Excise. Sent up for Concurrence.

On a Motion made and seconded, *Ordered*, That Mr. *Welles*, Col. *Worthington*, Mr. *James Bowdoin*, Mr. *Allen*, and Mr. *William Bowdoin*, be a Committee to consider what may be done to encourage the raising of Wheat and Manufacturing of Flower within this Province, and report as soon as may be.

Committee  
on Wheat &c.

[Flour]

On

Committee  
for a Bill.

On a Motion made and seconded, *Ordered*, That Mr. Speaker, Mr. *Welles*, and Mr. *Ephraim Jones*, be a Committee to prepare a Bill to prevent the passing of Counterfeit Copper Half-Pence and Farthings, within this Government.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Jovis 10. Die Januarii, A. D. 1754.

Bills read.

**A** Bill Intitl'd *An Act in Addition to an Act Intitl'd, An Act empowering Justices of the Peace to decide Differences not exceeding Forty Shillings.*

Read and *Resolved*, That the Bill pass to be enacted.

A Bill Intitl'd *An Act for erecting the Plantation of Nichawage in the County of Worcester into a seperate District by the Name of ———*

Read a second Time, and referred to the next Sitting of the Court for further Consideration.

Dr. *Mayhew*  
chosen to  
preach the  
Election Ser-  
mon.

The House according to the Order of the Day, proceeded to make Choice of a Minister for preaching a Sermon before the General Court at the next Anniversary Election for Councillors; the House brought in their written Votes for that Choice, and upon collecting numbering and sorting the same, it appeared that the Reverend Dr. *Jonathan Mayhew* of *Boston*, was chosen by a major Part of the Votes; And thereupon,

*Voted*, That the Representatives of *Boston* be desired to inform the Reverend Dr. *Jonathan Mayhew* of the Vote of this House, making Choice of him to preach the Sermon at the next Election of Councillors, and desire his Compliance.

Order on  
*Medford Tax.*

*Whereas the Town of Medford was fined the last Year the Sum of ten Pounds for not sending a Representative, which the Court afterwards remitted, yet it appears that the said Town was taxed for said Sum:*

Therefore,

*Ordered*, That the Province-Treasurer be and hereby is directed to pay out of the Province Treasury the Sum of *Ten Pounds* to the Town of *Medford*. Sent up for Concurrence.

Order on the  
Petition of  
*Timothy Prout.*

*Isaac Royall*, Esq; brought down the Petition of *Timothy Prout*. Pass'd in Council, viz. In Council *December 7th 1753*. Read and *Ordered*, That the Petitioner serve the adverse Parties *Samuel Libbec*, and others, with a Copy of this Petition, that they shew Cause, if any they have, on Wednesday the 19th Instant, why the Prayer thereof should not be granted. Sent down for Concurrence.

Read and non-concur'd, and *Ordered*, That the Petition be dismiss'd.

## Post Meridiem.

Vote on Gov.  
Message.

The House according to the Order of the Day, took under Consideration the Answer to His Excellency's Message, and *Voted*, That the same be accepted, and that Mr. *Allen*, Mr. *Witt*, Mr. *Gibbs* of *Newton*, Mr. *Sparhawk*, and Mr. *Cogswell*, be a Committee to wait upon His Excellency with the same.

*Ezekiel*

*Ezekiel Cheever*, Esq; brought down the Petition of *Samuel Mabo*, and others, with a Report of a Committee of both Houses,

Signed *Benjamin Lincoln*, per Order.

Order on the  
Petition of  
*Punkapog* In-  
dians.

Pass'd in Council, viz. In Council *January* 10th 1754. Read, and it appearing by the Report of the Committee that there are strong Grounds to suspect that the Guardians of the *Punkapog* Indians have been exceeding remiss and negligent in discharging of the Trust reposed in them by this Court, and likewise to suspect that *John Shepard*, Esq; one of the said Guardians, together with diverse other Persons, by Leave obtained from him, have cut and carried off large Quantities of Wood & Timber from the Lands belonging to those Indians, to their great Wrong and Damage :

Therefore,

Ordered, That the said Guardians be and are hereby directed to attend this Court, on Wednesday next, if the Court be then Sitting, if not, on the second Wednesday of the next Sitting of this Court, then further to account for their Conduct respecting the Matters of Complaint against them ; and that they then likewise lay before the Court a particular Account of all Monies by them received, or that are due to them in their said Capacity, as also of their Payments & Disbursements on Behalf of the said Indians, and that the said Guardians be forthwith served with a Copy of this Order ; and that the Secretary be directed to issue a Summons, requiring the Persons hereafter-named to give their Attendance the same Time, as Witnesses in the Case, viz. Major *Fenner*, *Eliakim Pitcher*, *Edward Pitcher*, *Nathanael Babcock*, *Philip Liscomb*, *John Liscomb*, *Nehemiah Liscomb*, *Philip Liscomb*, Jun. and *James Indicot*.

Sent down for Concurrence.

Read and concur'd with the Amendment, viz. That the Secretary be also directed to summons *Amariah Wentworth*, *William Wheeler*, *Stephen Bedlow*, *John Wentworth*, *Edward Bayley*, *William Wentworth*, *William Royal*, and *Isaac Fenner*, Jun. to appear as Witnesses in the Case at the same Time.

Sent up for Concurrence.

*John Chandler* and *John Wheelwright*, Esqrs; came down with a Message from the honourable Board, informing them that the Council had not passed on several Votes passed this House in *June* last, making the late Treasurer *William Foye*, Esq; accountable for several Sums of Money ; which Votes they also brought down and laid on the Table.

Message from  
the Board.

Ordered, That the Committee chosen to examine the late Treasurer's Accounts, be directed to consider the said Votes, and report what it may be proper further for the House to do thereon.

A Petition of *Robert Hewes* of *Boston*, praying that his Petition to this Court in the Year 1745, with the Proceedings thereon from Time to Time, may be revived, and grant him a Reward for his Services therein mentioned, for the Reasons mentioned.

Petition of  
*Robert Hewes*.

Read and committed to Capt. *Spurr*, Capt. *Williams*, and Col. *White*, to consider and report thereon.

Ordered, That a Message go up to the honourable Board, informing that the House propose to come to the Choice (by joint Ballot) of Guardians for the several Tribes of Indians (except *Punkapog*) at six o'Clock this Afternoon.

Message to  
the Board.



Message from the Board. *Sylvanus Bourn*, Esq; came down with a Message from the honourable Board, informing that the Board was considering an Affair of Consequence, and proposed to defer the Choice of Guardians for the Indians till to Morrow-Morning eleven o'Clock, at which Time they should be ready to join with the House.

To which the House agreed.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Ueneris 11. Die Januarii, A. D. 1754.

Petition of *Edw. Best*.

A Petition of *Edward Best* of *Boston*, praying he may be licensed a Retailer of Beer of his own making, for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Court of General Sessions of the Peace for the County of *Suffolk* at their present Session, be and hereby are impowred to grant the Petitioner a Licence to Retail Beer in the Town of *Boston*, if they see fit, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Petition of *Hez. Allen*, bro't down.

*Eleazer Porter*, Esq; brought down a Petition of *Hezekiah Allen*. Pass'd in Council, viz. In Council *January* 10th 1754. Read again, and it appearing that the adverse Party hath been served with a Copy of this Petition, and no Answer being given in : Therefore *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner be and hereby is allowed to enter his Complaint at the next Superiour Court of Judicature to be holden at *Boston* for the County of *Suffolk*; and the Justices of the said Court are impowred to receive the same, to enter up Judgment, and award Execution thereon accordingly.

Sent down for Concurrence.

Read and concur'd.

Bill enacted.

A Bill Intituled *An Act in Addition to an Act Intituled An Act to enable Creditors to receive their just Debts out of the Effects of their absent and absconding Debtors*.

Read and *Resolved*, That the Bill pass to be enacted.

Message to the Board.

*Ordered*, That *Col. White* go up to the honourable Board, and acquaint them that the House are ready to proceed to the Choice of Guardians for the Indians.

Message from the Board.

A Message from the honourable Board by *John Chandler*, Esq; that the Board are ready to join in the Choice, agreeable to the Proposal of the House.

*Ordered*, That *Col. White*, *Mr. Tasker*, and *Capt. Joseph Williams*, be a Committee on the Part of the House to carry up count and sort the Votes.

Guardians for the Indians.

The Committee carried up the Votes for three Guardians for the Plantation of *Natick*, and reported that *Col. Joseph Richards*, *Col. Buckminster*, and *John Jones*, Esq; were chosen by a Majority of the Votes.

The said Committee carried up the Votes for three Guardians for *Dudley*, and reported that *Col. John Chandler*, *Capt. Moses Marcy*, and *Mr. Joshua Healey*, were unanimously chosen.

The

The Committee carried up the Votes for three Guardians for *Harwich*, *Yarmouth* and *Eastham*, and reported that *Joseph Freeman* and *John Freeman*, Esqrs; and Mr. *Joseph Hall*, were chosen.

The Committee carried up the Votes for three Guardians for *Mashpee*, *Barnstable*, *Sandwich* and *Falmouth*, and reported that *Sylvanus Bourn*, *James Otis*, and *David Crocker*, Esqrs; were unanimously chosen.

The Committee carried up the Votes for three Guardians for *Plymouth*, *Pembroke*, and *Middleborough*, and reported that *Gamaliel Bradford*, and *Josiah Edson*, Esqrs; and Capt. *Nathanael Smith*, were unanimously chosen.

The Committee carried up the Votes for three Guardians for *Martha's-Vineyard*, and reported that *Pain Maybew* and *John Sumner*, Esqrs; and Mr. *Benjamin Manter*, were chosen.

The Committee carried up the Votes for three Guardians for *Nantuckett*, and reported that Mr. *Abisha Folger*, *Jonathan Coffin*, Esq; and Mr. *Richard Coffin*, were unanimously chosen.

The Committee carried up the Votes for three Guardians for *Dartmouth* and *Freetown*, and reported that Mr. *Ambrose Barnaby*, Mr. *John Winslow*, and Mr. *Abiel Terry*, were chosen.

Ordered, That Col. *Otis* go up to the honourable Board with a Message to desire them to join the Committee appointed by this House to take an Account of and consume to Ashes the Government Securities in the Hands of the late Treasurer *William Foye*, Esq;

*Josiah Willard*, Esq; came down with a Message from the honourable Board, proposing that a seperate Vote may pass directing the Secretary to summons the Witnesses in the Case of the Guardians of the *Punkapaug* Indians, and that their Names be taken out of the Vote pass'd the two Houses Yesterday. Message from the Board.

And then laid on the Table the following Vote pass'd in Council, viz. In Council *January 11th 1754.*

Ordered, That the Secretary be and hereby is directed to Summon Major— *Fenner*, *Eliakim Pitcher*, *Edward Pitcher*, *Nathanael Badcock*, *Philip Liscomb*, *Nehemiah Liscomb*, Jun. *James Endicot*, *Amariah Wentworth*, *William Wheeler*, *Stephen Bedlow*, *John Wentworth*, *Edward Bailey*, *William Wentworth*, *William Royal*, and *Isaac Fenner*, Jun. to appear before this Court on Wednesday next, at the Hearing then to be had in the Case between the Guardians of the *Punkapaug* Indians, and the said Indians. [Badcock]

Read and concur'd with the Amendment at A. viz. add *Zebulun Jordan*. Sent down for Concurrence.

### *Post Meridiem.*

*Samuel Danforth*, Esq; brought down the following Vote of Council. Pass'd in Council, viz. In Council *January 11th 1754.* Voted, That *John Osborne* and *Jacob Wendell*, Esqrs; with such as the honourable House shall join, be a Committee to receive of the late Treasurer *William Foye*, Esq; what of the Government Securities are now in his Hands, and consume them to Ashes. Vote of Council bro't down.

Sent down for Concurrence.

Read

Read and concur'd, and Col. *Otis*, Col. *Worthington*, Mr. *Allen*, Mr. *Fletcher*, Mr. *Hunt*, Capt. *Chandler*, and Mr. *Welles*, are joined in the Affair.  
Sent up for Concurrence.

Committee  
for List.

*Ordered*, That Col. *White*, Capt. *Joseph Williams*, and *David Stockbridge*, Esq; be a Committee to prepare a List of the Travel and Attendance of the Members of this House the present Session.

Report on  
a List.

The Committee appointed to prepare a List of the Members Attendance the last *April* Session, reported.

Message to  
the Board.

Read and accepted, and *Ordered*, That the Clerk certify the same.

*Ordered*, That Mr. *Fletcher* go with a Message to the honourable Board, to desire them as soon as may be, to pass upon all Matters of a publick Nature lying before them, that His Excellency the Governour may give a Recess to the Court as soon as may be.

A Message from His Excellency the Governour by the Deputy Secretary, *viz.*

*Gentlemen of the House of Representatives,*

Governour's  
Message to the  
House.

“ YOUR Committee hath deliver'd me your Message of the 10th Instant, in Answer to mine of the 2d to both Houses.

“ The chief Design of that (as is particularly express'd in it) was to put you in Mind of the Service I engag'd in for the Province, at the earnest Request of the Assembly, in my Voyage to *Louisbourg* in 1745; and that besides what was granted me for my *Expences* in that Voyage, that Assembly voted me a Sum of the Value of more than *three Hundred Pounds* Sterling for my *Service* in it, which I then declin'd accepting, and never have had any Consideration or Recompence for since.

“ In Answer to this, you acknowledge, *Gentlemen*, in your Message, that over and above the Sum therein mention'd to be granted me for my *Expences* in that Voyage, another Sum was voted me of the Value of more than *three Hundred Pounds* Sterling on Account of it; which you are pleas'd to call a *Gratuity*; but that I did not accept it.

“ Now, *Gentlemen*, the whole Difference between us in this Affair consists only in Terms; what you term a *Gratuity* for my *Services* in that Voyage (as it is evident, even from your own Message it must be) I call a *Recompence* for them, which as I have not yet receiv'd, I look upon to be still justly due & owing to me from the Province.

“ It is disagreeable to me, *Gentlemen*, to recount those *Services* to you, and the Occasion of my undertaking them, more particularly than hath been done; but I hope the Necessity I am lay'd under of doing it, will make me stand excus'd for it.

“ The Province had at that Time two, of what are esteem'd by every People, their most precious Interests at Stake, it's Honour & Wealth; the former deeply concern'd in maintaining it's just Share of the Glory of the Reduction of *Cape Breton*, and the latter in obtaining from His Majesty the Reimbursement of it's Charges incur'd in that Expedition.

“ It is well known, that the Assembly at that Time was greatly alarm'd for both; and apprehended that my going to *Louisbourg*,  
“ and



“ and taking the Government of the new Acquisition upon me for a short Time, and causing “ a full Account of the Proceedings of the *New-England* Forces rais’d under my Commission for the Reduction of *Cape-Breton*, during the Siege of *Louisbourg*, to the Time of it’s Surrender, to be transmitted in the most effectual Manner to His Majesty,” as it was express’d in their Request to me upon that Occasion, might contribute to the securing of both those Points to the Province.

“ They therefore urg’d me in very pressing Terms, forthwith to engage in the Service, which I accordingly did upon their Request.

“ I proceeded to *Louisbourg* about the second Week in *August*, and resided there near four Months in a very disagreeable and difficult Scituation, occasion’d by a Mortality which prevail’d among the Troops, together with a Spirit of Discontent, which grew very high among them, at being detain’d in Garrison from their Families, and the Care of their Domestick Concerns : And what Measures I was oblig’d finally to enter into, upon the Advice of a Council of War held on that Occasion, for pacifying the Soldiers, and engaging them to remain contentedly in the Service, with the Success it had, must be so well remember’d by every Officer of that Council, that I need not particularly mention them.

“ Pursuant to the Request of the Assembly to me, I likewise caus’d a Journal of the Proceeding of the Land Forces employ’d in the Expedition from the Time of their Imbarcation, to the Surrender of *Cape-Breton*, to be taken and examin’d, and attested by the General and some of the principal Officers ; and transmitted them to His Grace the Duke of *Newcastle*, one of His Majesty’s principal Secretaries of State, in Order to be laid before His Majesty, together with my Letter to his Grace ; in which I endeavour’d to maintain the Honour justly due to the Province for the publick Spirit which animated it in prosecuting that Expedition, to set the Behaviour of it’s Troops in a just Light ; to shew that the Reduction of *Louisbourg* was principally owing to the good Conduct and Bravery of the General Officers & Soldiers who acted in it ; and to confine the Share, which the Squadron employ’d in the Siege of the Place, and took to itself of the Glory of that Action, within it’s just Limits.

“ To shew how opportunely this Letter and Journal arriv’d in *London* for serving the Interests of the Province, and how effectual to that Purpose it was judg’d that a Copy of them should be procur’d from the Secretary of State’s Office, and publish’d by Authority, I must refer you to the Account of that Matter, transmitted at that Time to the Assembly by Mr. Agent *Bollan*, who solicited, and in the End obtain’d it.

“ What Degree of Influence this Letter & Journal might have for promoting the Interests of the Province then depending, I will not presume to say ; it is well known that before the Publication of them, the Reduction of *Cape-Breton* was publickly treated in *England* as a Naval Acquisition, and that the general Apprehension through the Nation, was, that the Land-Forces had but an inconsiderable Share in it.

“ After these Services I return’d to *Boston*, in a tempestuous Season of the Year, not without Danger in my Passage.

A a a

“ That

“ That these Services were no Part of my ordinary Duty as Governour of the Province, I presume, *Gentlemen*, will not be deny'd ;  
 “ and I can't but hope that when you consider the Difficulty and Importance of them, you will not think the Sum voted me in Consideration of them by the Assembly in 1745, was an adequate Recompence for them : I might likewise observe to you, upon this Occasion, that during my Residence at *Louisbourg*, I lost in the Fees and Perquisites of my Government, about the Value of between *twenty and thirty Pounds Sterling*, by my Absence from it.

“ The other material Parts of your Message to me, may, *Gentlemen*, I think be reduc'd to the following Points, *viz.*

“ That by my not accepting the Sum granted me for these Services in 1745, the Province had lost the Benefit of being reimburs'd for it.

“ That His Majesty's Intention in granting me a Colonel's Commission in 1745, was to excuse his Subjects in this Province from making me a Reward for my Service at *Louisbourg*.

“ And that if my Services in general, and what are due for them, were to be reduc'd to an Account Current, between me and the Province, they would be found to be overpaid, especially as to the Service at *Louisbourg*.

“ As to the first mention'd Point, *Gentlemen*, by considering what was granted me by the Assembly in 1745, for my Services at *Louisbourg*, as proper Articles to have been charg'd to the Crown in the Account of the Province's Reimbursement, you seem to allow that it was something more than a *Gratuity* ; a mere *Gratuity*, given to your Governour, not founded upon any Service, would have been a very improper Charge ; nothing under a Recompence or Debt justly due to him for some Service could with any Propriety be inserted there.

“ It is likewise evident, that the Assembly in 1745, did not think it a proper Article to be charg'd in that Account, from their not making a Charge of what they granted me for my *Expences* in my Voyage and Return.

“ Indeed it is most clear from the Nature of the Service, which was to lay a Foundation for the Province's asking a Reimbursement from the KING of it's Charges in that Expedition, and to maintain it's Glory in making that Conquest for the Crown, against any unjust Pretensions of the Sea Forces employ'd in it, to their Prejudice, that it might have been a very improper Article of Expence to have charg'd His Majesty with.

“ The Opinion that His Majesty's Intention in giving my Colonel's Commission was to excuse the Province from making me a Recompence for my Service at *Louisbourg*, seems still more groundless : My Regiment was given me before my Voyage to *Louisbourg* could be known in *England* : The Date of my Commission, which is the 31<sup>st</sup> of *August* 1745, shews that : And it seems not to be doubted but that His Majesty was graciously pleas'd to give both Sir *William Pepperrell*, and myself, our respective Commissions in Consideration of the National Service done by each of us in that Expedition, without any Intention to deprive us of what might be due to either, for Services from the Province.

“ As to the last mentioned Point, since you seem to think, *Gentlemen*, that if my Services were to be consider'd upon the Foot of an  
 “ Account

“ Account Currant, between me and the Province, the Ballance would  
 “ be found to be against me ; I must desire you will be pleas’d to look  
 “ back to the Year 1744, and view the State of the publick Debt,  
 “ as it stood at that Time ; you will find that just before it’s entring  
 “ upon the Expedition against *Louisbourg*, it was about £. 435,782  
 “ Old Tenor, then of the Value of about £. 73 Thousand Pounds Sterl.  
 “ and upon examining the present State of the Treasury, it will appear  
 “ that the outstanding Debt is but trifling.

“ Can any Instance be given, *Gentlemen*, from History of any  
 “ Country or State’s entering upon a War deeply in Debt, and after  
 “ having gone thro’ two expensive Expeditions, finding itself at the  
 “ Conclusion of it, out of Debt, without having gain’d great Booty  
 “ during the Course of the War, which was not the Case of this Pro-  
 “ vince : To what this is to be ascrib’d, *Gentlemen*, you will easily  
 “ recollect.

“ I must likewise observe to you upon this Occasion, that when I first  
 “ propos’d the undertaking of the Expedition against *Cape Breton* to  
 “ the Assembly in 1744, they return’d me for Answer after two Days  
 “ Advise ment upon it, to this Effect ; “ That the Undertaking was  
 “ too great for them to attempt, without the Assistance of the Colo-  
 “ nies upon this Continent in it ; and desir’d me to lay before His  
 “ Majesty the Necessity of the Reduction of *Louisbourg*, and to repre-  
 “ sent to him that the Province was willing to bear its Share & Pro-  
 “ portion in that Undertaking in Conjunction with the Neighbouring  
 “ Colonies.

“ Had those Councils been acquiesc’d in by me, and I had not  
 “ press’d them again, *Gentlemen*, and prevail’d upon ’em to set the  
 “ propos’d Expedition on Foot without Delay, the Province might by  
 “ losing the Opportunity then present, probably have fail’d in the Year  
 “ ensuing of succeeding in a joint Attempt with the rest of the Colo-  
 “ nies ; but if it had succeeded, it would not in such Case upon the  
 “ Foot of the Assembly’s Proposal, have had any Pretence to ask for  
 “ a Reimbursement of their Quota of the Charges incur’d in it : And  
 “ how different then would have been the State of the Province from  
 “ its present Condition ? Your old Debt would not only have re-  
 “ mained, but been augmented to such a Load, that it would have  
 “ been with extream Difficulty you could have got clear of the Bur-  
 “ then ; and the Inconveniencies of your Paper Currency must have  
 “ likewise in such Case been greatly increas’d.

“ What Credit you will allow me, *Gentlemen*, in the Account Cur-  
 “ rant for my Services in having been thus Instrumental in saving the  
 “ Province from falling into such a Condition, and leading it into  
 “ it’s present State, I won’t presume to say ; but if you will be pleas’d  
 “ to cast up the Account of what I have received from the Province  
 “ since I have had the Honour to be His Majesty’s Governour of it,  
 “ even with the Addition of what the Assembly granted me in 1745,  
 “ for my Services at *Louisbourg*, and which many of you now dispute  
 “ the Payment of to me, you will find that far from having a Ballance  
 “ on Account of what I have received from it for my extra Services,  
 “ against me, I shall fall several Hundred Pounds Sterling short of  
 “ having received the Salary allotted me by His Majesty, and agreed  
 “ by former Assemblies to be annually granted to his Governours,  
 “ for the ordinary Services in the Government.

“ I



“ I shall never press you, *Gentlemen*, to do any Thing, which can  
 “ carry the least Colour of not doing Justice to your Constituents ;  
 “ But I would observe to you, that being just to those who serve  
 “ *them*, is the best Justice you can do to them, and a sure Way of  
 “ promoting their true Interests.

“ As to what you observe in your Message concerning the Cannon  
 “ and Ordnance Stores which I lately procured for you : If you look  
 “ into the Copy of my Petition to His Majesty, and my Speeches to you  
 “ wherein I make mention of them, you will find that I mention the  
 “ Grant of them as a Royal Bounty common to His Majesty’s other  
 “ Colonies ; But notwithstanding that, I have very good Reason, *Gen-*  
 “ *tlemen*, to believe, as the Province had omitted to charge the Loss of it’s  
 “ old Ordnance Stores in their Account of Reimbursements in 1747,  
 “ and that Reimbursement amounted to so large a Sum, that had I not  
 “ personally solicited for that Grant, the Province would have found  
 “ an extreme, if not unsurmountable Difficulty in obtaining it : I  
 “ must likewise observe to you, *Gentlemen*, that it does not appear  
 “ that the Province of *Maryland* obtain’d an Allowance of the Freight  
 “ of the Cannon granted to ’em from the Crown : This Province, as  
 “ far as I can find, never did before ; nor can I be of your Opinion,  
 “ that it derogates in the least from the Royal Bounty, that the usual  
 “ Fees and Perquisites of the Offices thro’ which the Grants pass, are  
 “ suffer’d to be paid ; as is the Case in all Royal Grants and Allow-  
 “ ances of the like Kind.

“ *Gentlemen*, The Assurances you give me in your Message of your  
 “ Disposition to cultivate a good Harmony with the several Branches  
 “ of the Government, and particularly with my self upon the Foot  
 “ you there mention, give me great Pleasure. As for my own Part,  
 “ I may justly say, that my whole Administration hath been one Series  
 “ of Proofs of the real Desire I have to cherish a right Understanding  
 “ with the Assembly for promoting his Majesty’s Service and the ge-  
 “ neral Good of the Province ; and I am perswaded that the happy  
 “ Influence of the Harmony which hath subsisted between me and for-  
 “ mer Assemblies upon it’s publick Affairs, hath been very sensibly  
 “ felt in many Instances : I hope nothing will happen to interrupt it  
 “ with you, *Gentlemen*, or subsequent Assemblies : no reasonable En-  
 “ deavours shall be wanting in me to preserve it.

*Council Chamber January*

*W. S H I R L E Y.*

11th 1754.

Read and Ordered, That His Excellency’s above Message be con-  
 sidered at six o’Clock this Afternoon.

*Isaac Royall*, Esq; brought down the following Vote of Council.  
 Voth of Coun- Pass’d in Council, viz. In Council *January* 11th 1754. Voted, That  
 cil bro’t down. some Person be employed to repair to the late Treasurer *William Foye*,  
 Esq; and to take an Abstract from the several Rolls lying in his Office,  
 of the Grants of such Soldiers as remain unpaid upon said Rolls, and  
 cancel the same ; and that a new Warrant be made upon the Abstract  
 for Mr. Treasurer *Gray*’s Payment thereof ; and that the Commissary-  
 General be directed to inspect said Abstract, and to direct the proper  
 Method to effect the same. Sent down for Concurrence.

Read and concur’d, and *John Wheelwright*, Esq; appointed for the  
 Purpose above-mentioned. Sent up for Concurrence.

The

The House re-assumed the Consideration of His Excellency's Message of this Day, and after a Debate had thereon, the Question was put, *Whether the House would proceed to make any Grant to His Excellency the Governour?* It pass'd in the Negative.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Sabbati 12. Die Januarii, A. D. 1754.

**J**ohn Wheelwright, Esq; brought down a Bill Intituled *An Act for* Bill brought further ascertaining the Descent of Real Estates of Persons dying Intestate without Issue. Pass'd in Council, viz. In Council January 11th 1754. Read two several Times, and pass'd to be engross'd.

Sent down for Concurrence.

Read a first Time, and referred to the next Session of the Court, and Ordered, That the Bill be printed in the mean Time.

Sent up for Concurrence.

John Otis, Esq; brought down the following Vote of Council. Vote of Council bro't down. Pass'd in Council, viz. In Council January 11th 1754.

*Whereas His Excellency has acquainted this Board, that agreeable to the Message of the two Houses sent him this present Session respecting the putting of the Province into a Posture of Defence, he has written largely to the Right honourable the Earl of Holderness, one of His Majesty's principal Secretaries of State, with his Desire that he would lay the same before His Majesty, and that his Packet is gone in Capt. Comrin's Ship which sailed Yesterday; and for as much as the Matters contained in the said Message are of great Importance, and may require the Sollicitation of the Agent of this Province:*

*Voted, That a Copy of the said Message to His Excellency, with other Papers relating thereto, be forthwith sent to Mr. Agent Bollan, with Directions to use his utmost Endeavour to obtain His Majesty's Favour as to the Matters mentioned in the said Message.*

Sent down for Concurrence. Read and concur'd.

Joseph Pyncheon, Esq; brought down a Bill Intituled *An Act in further* Bill brought Addition to the several Laws already in Being for the more speedy finishing down. the Land Bank or Manufactory Scheme. Pass'd in Council, viz. In Council December 21st 1753. Read two several Times, and pass'd to be engross'd.

Sent down for Concurrence.

Read a first Time.

Isaac Royall, Esq; brought down the Report of the Committee of both Houses appointed on the first and second Paragraphs of His Excellency's Speech. Pass'd in Council, viz. In Council January 11. 1754. Report on His Excellency's Speech bro't down.

Read and concur'd with the Amendment at A.

Sent down for Concurrence. Read and concur'd.

The Deputy Secretary came down with the following Message from His Excellency the Governour, viz.

*Gentlemen of the House of Representatives,*

It is His Excellency's Pleasure that this Great and General Court be Adjourned to Wednesday next at ten o'Clock in the Forenoon. Adjournment of the Court.

Then the Deputy Secretary declared the said Court to be Adjourned to that Time accordingly.







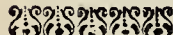
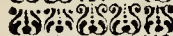
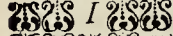
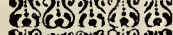



# VOTES

Of the House of Representatives.



Mercurii 16. Die Januarii, A. D. 1754.


 Saac Royall, Esq; brought down a Bill Intitled *An Act in*  

*Addition to an Act Intitled An Act against diminishing or* Bill read.  

*counterfeiting Money.* Pass'd in Council, viz. In Council  

*January 11th 1754.* Read two several Times, and  

*pass'd to be engross'd.* Sent down for Concurrence.  
 Read a first Time.

The Committee appointed on the Memorial of *Oliver Partridge, Esq;* reported according to Order.

Read and accepted, and thereupon *Voted*, That Mr. *Gideon Lyman*, and *Elijah Williams, Esq;* with such as the honourable Board shall appoint, be a Committee to lay out a Township six Miles square upon the new cut Road from *Northampton* towards *Albany*, at the Place mentioned in the Memorial of *Oliver Partridge, Esq;* dated the 4th of *September 1753*, and that the said Committee lay out sixty-three House Lotts in said Township, one for the first settled Minister, one for the Ministry, and one for the School as near the Center of the said Town as may be with Convenience, in such Quantities as the said Committee shall judge best; and also that the said Committee be directed to lay out such High-Ways Streets and Lanes to and among said House Lotts, as shall be necessary and convenient; and that the said Committee have Power to admit sixty Settlers or Inhabitants into said Township, each of them shall be intitled to a sixty-third Part of said Township, upon the Conditions following, viz. That each Setler pay the Committee upon his being admitted, *thirteen Pounds six Shillings and eight Pence*, for the Use of the Government; and that he shall within the Space of three Years from his being admitted, build a House eighteen Feet long, and fifteen Feet wide, and seven Feet studd; and shall fence five Acres of his House Lott, and bring the same to English Grass, or fit it for Plowing and raising of Wheat or other Corn, and shall actually by themselves, Heirs or Assigns, reside on said House Lott five Years in seven from

Committee  
to lay out a  
Township in  
the County of  
*Hampshire.*

their being admitted ; and that they settle a learned Protestant Minister in said Town within the Term of five Years from their being admitted, in Case a French or Indian War do not happen within said Term, and in Case a War should happen, then to fulfill the said Conditions in the like Term after the War ; and in Case the aforesaid Conditions are not fulfilled according to the true Intent and Meaning thereof, that then such delinquent Setler or Setler's Right shall be forfeit and revert back to the Province, to be disposed of as the General Court shall hereafter order and determine ; any Thing in this Grant to the contrary notwithstanding ; and that the said Committee be further directed to take Bond of each Person admitted by them a Setler of the penal Sum of *one Hundred Pounds*, payable to the Province Treasurer, or his Successor in said Office, for the faithful Performance of the Conditions of said Grant ; the said Committee to make Report of their Doings and due Return of said Bonds to the Province Treasurer as soon as may be, who shall be paid for that Service out of the Monies received of the Setlers.

Sent up for Concurrence.

Vote of Council bro't down. *John Otis, Esq.* brought down the Petition of *Benjamin Davis*. Pass'd in Council, viz. In Council *January 12th 1754*. Read, and *Andrew Oliver, Esq.* is appointed on this Affair in the Room of *Benjamin Lynde, Esq.* who is absent. Sent down for Concurrence.

Read and concur'd.

Message from the Board. *John Candler, Esq.* came down with a Message from the honourable Board, to enquire whether the House have passed on the Petition of *Timothy Prout, Esq.* to whom the Speaker returned Answer that the House had passed upon it, and dismiss'd the Petition.

Message from the Board. *John Otis, Esq.* came down with a Message from the honourable Board, desiring that the Petition of *Timothy Prout, Esq.* and Papers accompanying the same, might be sent up to the Board.

Which were sent up accordingly.

Bill enacted. A Bill Intituled *An Act for incorporating the Plantation called Bedford in the County of Hampshire into a seperate District by the Name of* ———

Read and Resolved, That the Bill pass to be enacted.

Bill read. A Bill Intituled *An Act for regulating Spendthrifts, and providing for their Families.* Read a first Time, and

Ordered, That the Bill have a second Reading to Morrow-Morning at ten o'Clock.

Order on the Petition of *Sarah Maybew* A Petition of *Sarah Maybew*, as entred the last Spring Session, and referred ; and Voted, That the said Petition be revived.

Read and Ordered, That the Prayer thereof be granted, and that the Petitioner (with the Advice and Assistance of *John Norton, Esq.*) is allowed and impowred in her Capacity of Guardian to her Son within mentioned, to execute and deliver to the within named *Thomas Tilton*, a Deed for Conveyance of the twelve Acres of Land within mentioned, provided he give to the said Heirs a good Deed of his Land within mentioned, agreeable to the Contract referred to in the Petition ; and said *Norton* is to see that Justice be done in the Affair.

Sent up for Concurrence.

*Joseph*

*Joseph Pyncheon*, Esq; brought down the following Vote of Council. Pals'd in Council, viz. In Council *January* 16th 1754. Ordered, That the Treasurer forthwith proceed in all proper Methods directed to by Law, to enforce the Payment of all such Sums of Money as are due from any Persons to the Province. Sent down for Concurrence.  
Read and concur'd.

Vote of Council  
bro't down.

The Committee appointed on the Petition of *John Franklin* and Company, reported according to Order.  
Read and accepted, and Voted, That there be and hereby is granted to the said *John Franklin* and Company, One Thousand Acres of Land, to be laid out in any Part of the unappropriated Lands of the Province, in a regular Form, by a skilful Surveyor and Chain-Men on Oath, and that they return a Plan thereof to this Court within three Years for Confirmation; provided that the said *Franklin* and Company, their Heirs or Assigns, carry on the Manufactories mentioned in their Petition at *German-Town*, for the Space of seven Years at least, from this Time, otherwise the said Land to revert to the Government: And as a further Encouragement to the said *Franklin* and Company, that the Captain-General be desired to exempt Twelve of the Workmen (such as said Company shall chuse) from Military Duties, so long as the Manufactories shall be carried on, and that the said twelve Men be excused from serving as Tything-Men, Constables, Grand-Jurors and Petit-Jurors, and working at High-Ways, and be freed from all Taxes (except Ministerial) so long as the said Manufactories are carried on.  
Sent up for Concurrence.

Report on  
Petition of  
*John Franklin*  
&c.

### *Post Meridiem.*

*James Minot*, Esq; brought down the following Vote of Council. Pals'd in Council, viz. In Council *January* 16th 1754.  
*Whereas by the Account of the late Treasurer William Foye*, Esq; examined by a Committee of this Court Febr. 18th 1753, it appears he was then accountable for the Sum of six Thousand two Hundred and ninety Pounds nineteen Shillings and two Pence, the Ballance of the said Account; and it appears, that divers further Sums were outstanding which ought to have been since received; and it likewise appears that four Thousand nine Hundred and twenty six Lottery Tickets, were delivered to the Treasurer, as the Share of the Province: Therefore,

Order on the  
late Treas-  
urer's Ac-  
compts.

Ordered, That *Jacob Wendell*, *John Wheelwright*, and *Thomas Hutchinson*, Esqrs; with such as the honourable House shall join, be a Committee to receive the Balance that may be in the Hands of the said Treasurer *Foye*, to give him a Discharge therefor; and to deliver the same to Mr. Treasurer *Gray*, and take his Receipt, for the Use of the Province; the Committee are likewise to settle the Prizes which said Lottery Tickets drew, and to cause the said Tickets to be burnt to Ashes.  
Sent down for Concurrence.

Read and concur'd, and Col. *Otis*, Col. *Worthington*, Mr. *Allen*, Mr. *Hunt*, Mr. *Fletcher*, Capt. *Candler*, and Mr. *Welles*, are joined in the Affair.

A Message from His Excellency the Governour by the Deputy Secretary: Which he read and laid on the Table.

And



And is as follows :

Gentlemen of the House of Representatives,

Gouverneur's  
Message relat-  
ing to a Grant.

I Cannot avoid expressing my Surprize at your persisting in a Re-  
fusal to make me a Grant for the Payment of, what appears  
“ from your own Message of the 10th Instant to be still justly  
“ due to me from the Province, for my Services at *Louisbourg*. I was  
“ in hopes that upon considering my Answer to it of the 11th Instant,  
“ you would have recollected yourselves in the several Matters con-  
“ tain'd in it; but as the Answer seems not to have wrought that  
“ Effect, Justice to myself requires, that I should enter into a more  
“ particular Examination of your Message, than I did in that Answer.  
“ You acknowledge, *Gentlemen*, in your Message, that a former  
“ Assembly granted me, over and above the Sum allow'd me for my  
“ Expences in my Service at *Louisbourg*, “ A Sum more in Value  
“ than *three Hundred and fifty Pounds Sterling*,” for the Service itself,  
“ which I did not then accept;” and then proceed to assign your  
“ Reason for refusing to pay it me now, as follows, *viz.* “ As I was  
“ pleas'd not to accept it [at the Time of the Grant] the Province  
“ had lost the Benefit in the Reimbursement, which Benefit they had  
“ in the Case of Sir *William Pepperrell's* Pay, and ought not with any  
“ other Savings to be misapply'd and defeat the Thing.”  
“ The Meaning of the two first Clauses of which seems to be this ;  
“ that if I had accepted the aforesaid Sum of upwards of *three Hun-*  
“ *dred Pounds Sterling* at the Time of the Grant, the Province would  
“ have charg'd it to the Crown in it's Account of Disbursements in  
“ that Expedition, as it did the Pay which was stipulated to be given  
“ to Sir *William Pepperrell*, and it would have been reimburs'd as well  
“ for that Expence, as for his Pay ; but that the Province hath lost  
“ the Reimbursement of the Sum voted to me, by my not accepting  
“ of it, and therefore it ought not to be paid to me now.  
“ This I apprehend to be stating the Sense of these two Clauses in  
“ their full Force :—As to the last Clause, I am not certain that I  
“ comprehend the right Sense of it, and therefore shall not venture  
“ upon an Exposition of it.  
“ In this Case, *Gentlemen*, I would ask, Whether if the Province  
“ had not obtain'd a Reimbursement from the Crown, Sir *William*  
“ *Pepperrell* would not have been intitl'd to demand his Pay of the  
“ Province this Session as he did ? I doubt not but every Gentleman  
“ in your House would readily agree that he would ; because it be-  
“ came an absolute Debt upon the Province by Sir *William's* Perfor-  
“ mance of the Service, for which it was stipulated to be paid to  
“ him, and did not depend upon the Condition of the Pro-  
“ vince's being reimburs'd by the Crown for it : Now this is the only  
“ Difference between Sir *William's* Case and Mine : His Debt was  
“ founded in the Province's Stipulation to pay him a *Sum certain* for  
“ his Service, and his Performance of that Service : Mine is founded  
“ in the Province's Request to me to do the Service which I did, and  
“ my Performance of it ; from whence a Promise result'd on their Part,  
“ that they would give me such Recompence as I should deserve for  
“ the Service ; and it is evident that their Reimbursement was no  
“ Condition of their making me the Recompence, because they actually  
“ paid me my Expences, and voted me upwards of *three Hundred*  
“ *Pounds Sterling* for my Services, long before it was known whether  
“ they should obtain a Reimbursement or not.

“ It is likewise clear that I could have as easily recover’d a reasonable Recompence for my Service in this Case (had my Demand been against a private Person) in the ordinary Course of Justice, as Sir *William Pepperrell* could have done for his standing Pay: The Remedy for both would have been the same.

“ And I can’t think, *Gentlemen*, that you will upon further Consideration of this Matter be of Opinion, that it will be for the Honour of the Province, after having receiv’d the Benefit of my Services, to deny me that Justice, which a common Person could in such Case have recover’d against a private Man.

“ I will go yet one Step farther, *Gentlemen*, to shew how equitably I am dispos’d in this Case: I am willing to put the Issue of the whole Matter on the single Point, upon which yourselves have put it in your Message: If my Refusal to accept the Sum granted to me for my Service at *Louisbourg* in 1745, occasion’d the Province’s losing the Benefit of being reimburs’d for it by the Crown, as you alledge it did, I am content to quit my Pretensions to my present Demand: The only Test of that Matter must be this; if the Province hath charg’d the two Sums of *two Hundred & fifty Pounds New Tenor* each, which were granted me and actually paid for my Expences in 1745, in my Voyage to *Louisbourg*, in the Account of it’s Disbursements in that Expedition, there is just Reason to conclude, that it would have likewise charg’d the Sum granted me for my Services there, and in such Case I agree that my Non-Acceptance of that Sum occasion’d it’s not being charg’d to the Crown: If on the other Hand the Fact is, that the Province did not charge in it’s Account the *five Hundred Pounds New Tenor* which I actually receiv’d for my Expences, then it must be allow’d that there is no just Reason to imagine, that if I had accepted the other Sum granted me for my Services, being more in Value than *three Hundred Pounds Sterling*, in the Time of the Grant, that Sum would have been charg’d in the Account, when the others were left out; and consequently there is not the least Colour of Reason to say that the Province hath suffer’d in it’s Reimbursement by my refusing to accept that Sum in 1745.—I have besides in my Answer before fully shew’d, that the Services were of such a Nature as to make them extremely improper to be charg’d to the Crown, and need not repeat it here.

“ Now, *Gentlemen*, I hope if that is the Fact, *viz.* That the Province hath lost Nothing by my Refusal to accept the Grant made me for my aforesaid Services in 1745, that the bare Circumstance of my refusing to take it then will not be thought to cancel the Debt.

“ The Occasion of my Refusal was, that I did not think the Sum voted me was an adequate Recompence for my Services; and I was inform’d, the Reasons given in the House for not voting me a larger Sum were, that the Province being then deeply in Debt, and involv’d in a very expensive War, could not then afford to make me a larger Grant: I therefore chose to decline the Acceptance of it, and stay until the Province should be in better Circumstances: That hath now happen’d; the War is at an End, the Province hath receiv’d it’s Reimbursement, and is almost quite out of Debt: But I had no Opportunity since the Arrival of the Money to renew my Application to you for a Grant before my Return from *England*: And surely, *Gentlemen*, my Delay to take any until this Time ought

“ not to operate to my Prejudice ; the just Inference is, that the Re-  
 “ comperce which the Assembly voted me in 1745, when the Pro-  
 “ vince was in much worse Circumstances than it is now, ought to be  
 “ augmented in Proportion to it's present Abilities, and the Import-  
 “ tance of my Services, which I hope may be allow'd to have at least  
 “ conduc'd something towards this happy Alteration of it's Circum-  
 “ stances.

“ I shall only add further upon this Head, as to what you observe  
 “ in your Message concerning the Case of Sir *William Pepperrell's* Pay,  
 “ viz. That the Province had the Benefit of being reimburs'd for it ;  
 “ that upon inspecting the Grant, which you made him this Session,  
 “ I find it is made not only in Satisfaction for his Pay, but likewise  
 “ in Consideration of all his Services at *Cape-Breton* ; so that it seems  
 “ probable that the whole Sum of *One Hundred forty four Pounds*  
 “ lately granted to him, was not charg'd in the Account of the Pro-  
 “ vince's Disbursements, and consequently as to such Part of it, which  
 “ was omitted, the Province could not have the Benefit of being  
 “ reimburs'd ; but that Circumstance was not then thought by you a  
 “ just Objection against your allowing him what he reasonably de-  
 “ serv'd from the Province for his Services, as indeed it was none  
 “ at all.

“ I have now fully examin'd this Matter, *Gentlemen*, upon the Foot,  
 “ on which your selves have put it in your Message, and flatter my  
 “ self that you must now see it in a different Light from that in which  
 “ many of you seem to have hitherto view'd it.

“ I now proceed to examine other Parts of your Message, which  
 “ give me no small Concern.

“ You observe that the Cannon and Stores were *return'd* you at the  
 “ Expence of above *fifty Pounds* Sterling, “ that you doubt not but  
 “ that the Cannon and Stores lately granted by his Majesty to *Mary-*  
 “ *land* were given free of Charges, as you apprehend it to be the con-  
 “ stant Custom of the Crown ;” and you add, “ that this was done  
 “ without the Influence of their Governour upon the Spot.”

“ It seems extraordinary, *Gentlemen*, that some of you at least should  
 “ not remember, that besides the Freight ; the Province paid for the  
 “ Ordnance Stores granted by His Majesty to it in the Beginning of  
 “ my Administration, above double the Sum of *fifty Pounds* Sterling  
 “ on Account of Charges expended in Office Fees and Perquisites on  
 “ that Occasion by your late Agent : and why do you presume that  
 “ the Province of *Maryland* received their Stores free of those Charges ?  
 “ the natural Presumption is evidently to the contrary ? And upon  
 “ what Grounds do you assert that their Governour was not in *Eng-*  
 “ *land* when those Stores were granted ? I have the strongest Reason  
 “ to believe ; I am almost certain he was : I am absolutely *sure* that  
 “ their Lord Proprietor was, who it is well known is supported with  
 “ a powerful Interest.

“ Is this one of the Articles in the Account Currant men-  
 “ tion'd in your Message ; to make me Debtor to the Province for my  
 “ good Offices to it ? Is this Treatment of me your Requit for my  
 “ soliciting and obtaining his Majesty's Royal Bounty for the Pro-  
 “ vince ? Do you think, *Gentlemen*, it can have the least Tendency  
 “ to serve the Interests of your Constituents ; or that it is a proper  
 “ Means of cultivating a good Harmony, as you profess in your Message  
 “ to be desirous of doing between us ?



“ I choose to pass over several Inconsistencies and other Matters in  
 “ your Message, which seem to be very unsuitable to the Character of  
 “ your House to offer to his Majesty’s Governour, and below the  
 “ Dignity of *his* to descend into a critical Examination of; and I am  
 “ sorry I have been oblig’d to enter so far into the Examination of it as  
 “ I have.—But for the Sake of your Constituents, I must not omit to  
 “ put you in Mind, that it hath been the usual Practice for his Ma-  
 “ jesty’s Colonies to return him their Thanks in a particular Address  
 “ upon receiving a Mark of his Royal Bounty to them in a Supply of  
 “ Ordnance Stores : It hath, I find, been the constant Custom of for-  
 “ mer Assemblies of this Province to do it upon the like Occasion.

“ As to your calling his Majesty’s late Grant to you, *Gentlemen*,  
 “ in your Message “ a Return of your Cannon and Stores,” I must  
 “ observe to you, that I think it does not seem the most proper Term  
 “ for it : The Cannon and Stores were indeed granted by his Majesty  
 “ in Lieu of eight old unsizeable Cannon, which I took out of Castle  
 “ *William*, to be employ’d as battering Pieces in the Expedition a-  
 “ gainst *Cape-Breton*, being the best I could venture to take from  
 “ thence without leaving that Fortrefs too much expos’d : But tho’  
 “ they serv’d to fill up so many Embrazures upon the Platform, where  
 “ they were mounted, yet they were found upon the Proof of them  
 “ against the Walls of *Louisbourg* fit for very little Service ; and had  
 “ I suffer’d them to have been return’d to the Castle from *Louisbourg*,  
 “ as was propos’d to me, you would now have had eight unserviceable  
 “ Cannon, and two burst Mortars, of little more, if any Value, than  
 “ old Iron, instead of eleven new Cannon and two Mortars, which  
 “ are a real Protection to the Fort, and together with their Carriages,  
 “ Beds, and Proportion of Stores, cost his Majesty, inclusive of the  
 “ Freight, near *Seventeen Hundred Pounds Sterling*.

“ I therefore doubt not, *Gentlemen*, but you will think this In-  
 “ stance of his Majesty’s Bounty and Paternal Care for the Safety of  
 “ his good Subjects of this Province, a proper Subject for an Address  
 “ of Thanks to him, and prepare one before the Court rises.

“ We are now in the seventh Week of this Session ; I hope you will  
 “ make what Dispatch you can in finishing the Publick Business be-  
 “ fore you : I shall detain you as little longer as is possible, by laying  
 “ before you any new Matters ; and you may depend on my ready  
 “ Concurrence with you in every Thing that may promote the  
 “ Interests of the Province.

*Council Chamber, Jan.*

*W. S H I R L E Y.*

16th 1754.

*Ordered*, That His Excellency’s foregoing Message be considered to  
 Morrow eleven o’Clock.

*Josiah Willard*, Esq; came down from the honourable Board with a Message from  
 the Board, informing that the Board propos’d to have a publick Hear-  
 ing on the Affair of the *Punkapaug* Indians this Afternoon, and desired  
 the House would attend the same in the Council Chamber.

Mr. Speaker and the House went up accordingly.

And after the Hearing was over, Mr. Speaker and the House re-  
 turned to their own Chamber.

Then the House adjourn’d ’till to Morrow Morning ten o’Clock.

*Jovis*

## Jovis 17. Die Januarii, A. D. 1754.

Bill read.

**A** Bill Intituled *An Act in Addition to an Act Intituled An Act against diminishing or counterfeiting Money.*

Read a second Time, and committed to Col. *White* to make the proposed Amendments.

Bill read.

A Bill Intituled *An Act in further Addition to the several Laws already in Being for the more speedy finishing the Land Bank or Manufactory Scheme.*

Read a second Time, and the Question was put, *Whether the Bill should have a third Reading?* It pass'd in the Negative.

Report on  
Land Bank.

Then the Report of a Committee of both Houses appointed to inspect the Accompts of the Commissioners of the Land Bank, signed *John Wheelwright*, per Order, was read, with a Vote of Council. Pass'd Jan. 11th 1754. viz. Read and Ordered, That this Report be and hereby is accepted. Sent down for Concurrence.

Read and nonconcur'd.

Report on  
Treasurer's  
Accompt.

*John Greenleaf*, Esq; brought down a Report of the Committee of both Houses appointed to receive of the late Treasurer *William Foye*, Esq; the Government Securities, &c. in the Words following, viz.

*Province of the Massachusetts-Bay : Boston January 11. 1754.*

Received of *William Foye*, Esq; late Treasurer, a Government Security for nine Hundred twenty six Pounds fourteen Skillings & four Pence, paid *James Allen*, Esq; for so much borrowed upon the eighteen Thousand four Hundred Pounds Supply, which with the Interest due thereon one Hundred and nineteen Pounds eight Skillings & six Pence, makes one Thousand forty six Pounds two Skillings & ten Pence; also one other Note of ten Pounds borrowed of *Andrew Mc Kenzie*, payable the 10th of June 1752, with Interest amounting to one Pound sixteen Skillings, makes eleven Pounds sixteen Skillings, both which Sums amount to one Thousand fifty seven Pounds eighteen Skillings & ten Pence, which we have received and consumed to Athes. Signed *John Osborne*, and others.

Read and accepted, and Ordered, That the late Treasurer *William Foye*, Esq; be and hereby is discharged of the said Sum of One Thousand & fifty seven Pounds eighteen Skillings & ten Pence accordingly.

Sent up for Concurrence.

Petition of  
Reading and  
Malden.

A Petition of the Committees of *Reading* and *Malden*, representing that the said Towns have agreed upon a dividing Line of said Towns, praying the same may be confirmed by this Court, for the Reasons mentioned.

Read and committed to Capt. *Livermore* to draw a proper Vote thereon.

Petition of  
*Mary Trumbal*.

A Petition of *Mary Trumball* of *Charlestown*, praying she may be Licensed to keep a House of publick Entertainment in the House where her late Husband *Timothy Trumball* exercised said Employment, for the Reasons mentioned.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex*, at their Adjournment on the last Tuesday of *January* Currant, be and hereby are impowred, if they see fit, to grant the

the Petitioner Licence to keep a House of publick Entertainment in *Charlestown*, the first obtaining the Approbation of the Select-Men of said Town, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

*Ordered*, That Mr. Speaker, Mr. *Allen*, and Mr. *Welles*, with such Committee as the honourable Board shall join, be a Committee to prepare a proper Address of Thanks to His Majesty for the Cannon and Ordnance Stores he in his Royal Bounty has lately ordered to this Government.

Sent up for Concurrence.

*Isaac Royall*, Esq; brought down the Petition of *John Franklin*, and others. Pafs'd in Council, viz. In Council *January 17. 1754.* Read and concur'd with the Amendment. *Petition of John Franklin bro't down.*

Read and concur'd with the further Amendments at D and E.

Sent up for Concurrence.

The Committee appointed on the Petition of Mr. *Gideon Lyman*, reported, which was read, and referred to the next Session for further Consideration, and *Report on Petition of Gideon Lyman.*

*Ordered*, That *Oliver Partridge*, Esq; in the mean Time survey the Lands mentioned in the Petition, make a Plan thereof, view the same, and report the Quality thereof at the said next Session.

The House according to the Order of the Day took under Consideration His Excellency's Message, and thereupon the Question was put, *Question on Gov. Grant.*

*Whether the House would proceed to make any further Grant to His Excellency the Governour?* It pafs'd in the Negative.

### *Post Meridiem.*

*Samuel Livermore*, Esq; who was this Day appointed to draw a Vote on the Petition of the Committees of *Reading* and *Malden*, reported the following Vote. *Vote reported*

Read and accepted, and *Voted*, That the Prayer of the Petition be granted, and that the Bounds between the said Towns of *Reading* and *Malden*, as agreed to by said Petitioners, viz. Beginning at a black Oak Tree standing by the Road leading from *Reading* to *Malden*, about twelve Rods Northward of *Jonas Green's* Barn, mark'd with R and M, then running Easterly with a strait Line to a Heap of Stones round a Pine Tree, still Easterly the same Course to a Stake and Heap of Stones in *Ghelsea* Line, said Stake being marked with R M and C, be ratified and confirmed accordingly. Sent up for Concurrence.

A Bill Intituled *An Act for regulating Spendthrifts, and providing for their Families.* Read a second Time, and

*Bill refer'd.*

*Ordered*, That the further Consideration of the Bill be referred to the next *May* Session.

An engross'd Bill Intituled *An Act to incorporate William Starkey and others by the Name of the Marine-Society.* Bill enacted.

Read and *Resolved*, That the Bill pass to be enacted.

E e e

*James*



Petition of  
Henry Berry  
bro't down.

*James Minot*, Esq; brought down the Petition of *Henry Berry* of *Boston*. Pass'd in Council, viz. In Council *January* 16. 1754. Read again, and it being represented to the Board that the adverse Party *Jonathan Foster* died soon after his being served with a Copy of the above Petition, and that there was no Opportunity of making Answer thereto.

Therefore,

*Ordered*, That the Petitioner serve the Administrator on the Estate of the said *Jonathan Foster*, with a Copy of this Petition, that he may shew Cause, if any he hath, on the second Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted.

Sent down for Concurrence.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Ueneris 18. Die Januarii, A. D. 1754.

Bill enacted.

**A** N engross'd Bill Intituled *An Act for the more easy recovering the Charges that attend the Partition & Settlement of Real Estates, and to Cause the Persons interested in such Estate to be duly notified before Partition be ordered.*

Read and Resolved, That the Bill pass to be enacted.

Committee  
for Inquiry.

*Ordered*, That *Col. Otis*, *Col. White*, and *Mr. Welles*, be a Committee to enquire of the Heirs of *Jeremiah Allen*, Esq; late Treasurer, respecting the Arrearages which neither the said Treasurer or his Heirs have ever accounted for, and report thereon the next Sitting of the Court.

The Committee appointed to settle Accounts with the late Treasurer *William Foye*, Esq; reported in the Words following, viz.

*Province Massachusetts-Bay,*

Report of  
the Commi-  
tee on the late  
Treasurer's  
Accompts.

The Committee to whom was refer'd the Examination of the Accompts of *William Foye*, Esq; late Treasurer and Receiver-General of His Majesty's Revenues within the Province of the *Massachusetts-Bay* in *New-England*, begining the eighth Day of *February* 1753, and ending the sixteenth Day of *January* 1754, having attended that Service, and upon examining the same find them right cast and well vouched, by which it appears that the said Accomptant chargeth himself with the Sum of *six Thousand two Hundred and ninety Pounds nineteen Shillings and two Pence*, the Ballance in his Hands per last Accompt; and with the Sum of *forty-eight Thousand three Hundred and three Pounds three Shillings and two Pence three Farthings* outstanding, of the several Assessments per last Accompt; and with the Sum of *one Thousand four Hundred and forty-nine Pounds ten Shillings and eleven Pence*, since received for Excise on Liquors; and with the Sum of *thirty Pounds seventeen Shillings* received of *Andrew Bordman*, Esq; for Excise on Tea, &c. in *Middlesex*; and with the Sum of *five Hundred & fifteen Pounds four Shillings and ten Pence*, receiv'd of *John Erving*, Esq; for Lands sold by a Committee of the General Court; and with the Sum of *thirty seven Pounds* receiv'd of *James Minot*, Esq; and Committee, for Lands sold at *Hoosuck*; and with the Sum of *five Hundred thirty-eight Pounds sixteen Shillings & four pence* receiv'd of the Directors of the late Lottery; and with the Sum of *ten Pounds five Shillings* receiv'd for Fines; and with

with the Sum of *one Thousand one Hundred & twenty Pounds one Shilling and one Penny*, receiv'd of *Daniel Russell, Esq;* Commissioner of Impost, being the Ballance of his Accompt; and with the Sum of *forty Pounds ten Shillings* receiv'd of *Samuel Watts, Esq;* and Committee, for Lands sold *Benjamin Houghton*; and with the further Sum of *two Hundred and thirty-three Pounds eight Shillings & four pence Farthing* receiv'd for Excise on Liquors; and with the Sum of *three Thousand Pounds* receiv'd of the honourable *Samuel Watts, Esq;* and Committee, in small Bills made for Change in 1750. all which Sums amount to the Sum of *sixty one Thousand five Hundred & sixty nine Pounds fifteen Shillings & eleven pence*; the Committee further find that the said Accomptant hath discharged himself by sundry Payments and Disbursements made by Order of his Honour the Lieutenant Governour, with the Advice of the Council, amounting to *ten Thousand & eighty Pounds ten Shillings & seven pence*; and by Government Securities burnt by a Committee of the General Court since last Accompt, *two Thousand three Hundred & eighty two Pounds thirteen Shillings & four Pence*; and by one Year's Interest payable on sundry Notes, payable *January 1754*, *six Hundred forty-two Pounds nineteen Shillings and two pence*; and by sundry Lottery Tickets Principal & Interest paid, amounting to *three Thousand four Hundred and ninety nine Pounds sixteen Shillings*; and by Province Bills burnt by a Committee of the General Court, amounting to *three Thousand seven Hundred and ninety Pounds five Shillings*; and Bills burnt by said Committee, *two Thousand nine Hundred & thirty four Pounds three Shillings & two pence*; and by the outstanding of the several Assessments as by a particular Account rendered by the honourable *Samuel Watts, Esq;* and Committee of the General Court, *thirty three Thousand three Hundred and fourteen Pounds sixteen Shillings & one Penny*; and by Government Securities burnt by a Committee of the General Court *January 11th 1754*, *one Thousand & fifty seven Pounds eighteen Shillings & ten pence*; all which Sums amount to the Sum of *fifty-seven Thousand seven Hundred and three Pounds two Shillings & nine pence*; and by *nineteen Hundred & ninety-five Pounds twelve Shillings* Deficiency in the cash; and the Sum of *one Thousand eight Hundred seventy one Pounds one Shilling and two pence*, Ballance in Hand: But the Consideration of the above mention'd Deficiency not lying with this Committee, the Ballance must appear to them to be *three Thousand eight Hundred sixty-six Pounds thirteen Shillings and two pence*. Signed *James Otis*, per Order.

Read and accepted, and Ordered, That the said late Treasurer *William Foye, Esq;* be accountable for the Sum of *three Thousand eight Hundred and sixty-six Pounds thirteen Shillings and two pence*.

Sent up for Concurrence.

*Sylvanus Bourn, Esq;* brought down a Bill Intituled *An Act in Addition* Bill read.  
to *An Act Intituled An Act for further regulating the Course of Judicial Proceedings*. Pass'd in Council, viz. In Council *January 18th 1754*.  
Read a first and second Time, and pass'd to be engros'd.

Read a first Time.

A Petition of *Joshua Brand* of *Natick*, Indian Planter, praying that he may be enabled to bring forward his Appeal in his Action with *Isaac Little, Esq;* at the next Superiour Court to be holden at *Plymouth*, as mentioned in the Petition. Petition of  
*Joshua Brand*.

Read and Ordered, That the Petitioner serve the adverse Party *Isaac Little, Esq;* with a Copy of this Petition, that he shew Cause (if any he

he hath) on the second Wednesday of the next Sitting of this Court, why the Prayer thereof should not be granted, and that Execution be staid in the mean Time ; provided the Petitioner give Bond to the Sheriff of the County of *Middlesex*, to pay the Sum said *Little* may finally recover against him, with Interest from this Time.

Sent up for Concurrence.

### *Post Meridiem.*

Petition of  
*Joseph Dwight*  
Esq;

A Petition of *Joseph Dwight*, Esq; praying that he may be allowed his Account of Disbursements for the Mohawks, and for his Time and Expences about the said Affair, for the Reasons mentioned.

Read and committed to Mr. Speaker, Mr. *Allen*, and Capt. *Livermore*, with such as the honourable Board shall join, to consider and report thereon as soon as may be. Sent up for Concurrence.

Resolves on  
Petition of  
*Samuel Mabo*  
&c.

*John Otis*, Esq; brought the Petition of *Samuel Mabo* and others, the Papers respecting the *Punkapaug* Indians. Pass'd in Council, viz. In Council *January* 18th 1754.

A Hearing having been had before this Court on the Complaint of *Samuel Mabo* and others, Indians of *Punkapaug*, against their Guardians *Samuel Miller* and *John Shepard*, Esqrs; and the Matter being fully considered :

*Resolved*, That it appears to this Court that very great Strip and Waste has been made on the Indian Lands at *Punkapaug* within these six Years last past :

That great Part thereof has been done by the Privy and Connivance of Major *John Shepard*, and some Part actually done by himself.

And also it appears that the Proceedings of the said Major *Shepard* as a Justice of the Peace in the Affair of *Samuel Mabo* and — *Jordan*, were illegal and unjustifiable.

And further it appears, that *Samuel Miller*, Esq; is justly chargeable of Neglect of his Duty as Guardian, as aforesaid : Therefore,

*Voted*, That *Samuel Danforth*, *Samuel Watts*, and *Stephen Sewall*, Esqrs; with such as shall be joined by the honourable House, be a Committee to consider of some suitable Method for repairing the Damage sustained by the *Punkagaug* Indians in the Strip and Waste made on their Lands six Years last past ; and likewise of some proper Method for this Court to express their just Displeasure at the said Guardians Neglect of Duty, and more especially against the said *John Shepard* for his great Breach of Trust, and unwarrantable Proceedings with Regard to the Persons and Estates of the said Indians, over whom he has been appointed Guardian ; and that the said Committee make Report as soon as may be. Sent down for Concurrence.

Read and concur'd, and Mr. Speaker, Capt. *Livermore*, Col. *Bradford*, and *Joseph Gerrish*, Esq; are joined in the Affair.

Vote of  
Council bro't  
down.

*John Otis*, Esq; brought down the following Vote of Council, viz. In Council *January* 18th 1754. *Ordered*, That *Samuel Danforth*, *Samuel Watts*, and *Stephen Sewall*, Esqrs; with such as the honourable House shall join, be a Committee to audit the Accompts of *Samuel Miller*, and *John Shepard*, Esqrs; Guardians of the *Punkapaug* Indians, now laid before this Court, and that they carefully examine the Vouchers thereof, and make Report to this Court as soon as may be.

Sent down for Concurrence.

Read



Read and concur'd, and Mr. Speaker, Capt. *Livermore*, Col. *Bradford*, and *Joseph Gerrish*, Esq; are joined in the Affair.

A Message from His Excellency by Mr. Secretary, *viz.*

Mr. Speaker, His Excellency directs the Attendance of this honour-  
able House in the Council-Chamber. Message from  
the Governor.

Mr. Speaker and the House went up accordingly, when His Excellency was pleased to deliver the following SPEECH, of which the Speaker obtained a Copy, then with the House returned to their own Chamber.

His Excellency's SPEECH is as follows, *viz.*

*Gentlemen of the Council and House of Representatives,*

“ **I** N *December* 1752. the Lieutenant Governour (then Commander  
“ in Chief of the Province) lay'd before both Houses an addition-  
“ nal Instruction, which he had receiv'd from the Right Ho-  
“ nourable the Lords Justices of *Great-Britain*, directing him, “ jointly  
“ with the Council and Assembly to consider, and revise all and every  
“ the Laws, Statutes, and Ordinances, which are in Force, within this  
“ Province, except such as relate to private Property, or are otherwise  
“ of a private Nature; and in Lieu thereof to frame a compleat and  
“ well digested Body of new Laws,” under the Regulations set forth  
“ in the Instruction, and upon the Plan recommended in the Message;  
“ and to transmit it to the Right Honourable the Lords Commissioners  
“ for Trade and Plantations, in order to be lay'd before His Majesty  
“ in his Privy Council, for his Royal Approbation or Disallowance.  
“ It appears, *Gentlemen*, from the Books of the General Court in the  
“ Secretary's Office, that on the 4th of *January* following (nothing  
“ having been acted upon this Matter in the Assembly) the Lieutenant  
“ Governour sent a second Message to both Houses, moving them to  
“ take it under Consideration; and the Council on the same Day ap-  
“ pointed three of their Members to be, together with such of the House  
“ of Representatives, as they should join with them, a Committee to  
“ prepare the Draught of an Answer to the Lieutenant Governour's  
“ two Messages; which Vote was sent down to the House of Repre-  
“ sentatives for Concurrence, and lodg'd there.

“ But Nothing being further done in the Affair by either of the  
“ Houses, the Lieutenant Governour by his Letter to the Lords  
“ Commissioners of Trade, acquainted them with his Proceed-  
“ ings upon the aforesaid Instruction, and the Result of them;  
“ whereupon their Lordships, after laying this Account before the  
“ Right Honourable the Lords of the Committee of His Majesty's  
“ most Honourable Privy Council for Plantation Affairs, directed me  
“ to press you upon my Return to my Government, in the most earnest  
“ Manner, to a Compliance with His Majesty's Pleasure in this Matter.

“ To induce you to this, *Gentlemen*, nothing can be wanting but  
“ a due Consideration on your Part, of the beneficial Consequences  
“ which will probably accrue to the Province from it.

“ Nothing, as is set forth in His Majesty's Instruction, can more  
“ effectually tend to promote Order & good Government, secure the  
“ Properties and Possessions of His Majesty's Subjects, and prevent  
“ litigious Controversies and Disputes, than a clear and well digested  
“ Body of Laws.

F f f

“ On

“ On the other Hand, the Perplexity which must arise in a Body  
 “ of Laws, where many of them have from Time to Time been either  
 “ intirely or in Part repeal'd, are expir'd, alter'd, amended, or ex-  
 “ plain'd, hath a direct Tendency to produce the contrary Effects.

“ That such is the present State of the Laws of this Province,  
 “ whoever will cast their Eyes over the Province Law Book, and ex-  
 “ amine into the Number of Acts made for repealing, altering, amend-  
 “ ing, explaining, or revising, not only single Acts, Paragraphs, or  
 “ Clauses of single Acts, but for the Explanation and Alteration of  
 “ some Clauses, or even Sentences, and the repealing of others, con-  
 “ tain'd in several Acts of different Natures, all promiscuously blended  
 “ together in the same explanatory Act; and particularly the Number  
 “ of Acts made in further Addition to and Explanation of sundry Acts,  
 “ all made in Addition to the same original Act, and some of them  
 “ in Addition to each other, must soon be convinc'd; as he will also  
 “ be of the Expediency of collecting the several scatter'd Acts, Para-  
 “ graphs, and Sentences of Acts relating to the same Matter, into a  
 “ clear well digested Body of Laws, in order to render them more  
 “ plain, and useful to the Community in general, for whose Benefit  
 “ they are made; and prevent litigious Disputes, which may arise  
 “ from Mistakes occasion'd from their present indigested State.

“ As one Instance, *Gentleman*, in particular of the present confus'd  
 “ State of the Province-Laws, I would observe to you that no less  
 “ than Eleven Acts have been made in Addition to or Explanation of  
 “ the Act pass'd in the fourth Year of King *William* and Queen  
 “ *Mary*, “for the Settlement of the Estates of Intestates,” besides several  
 “ Acts relative to it, which contain other Matters likewise blended toge-  
 “ ther: infomuch that it requires a critical Knowledge in the Law rightly  
 “ to comprehend the whole Effect of these several Acts, which are  
 “ render'd so obscure by the multiplicity and inconnected Order, they  
 “ at present lie in, that several of the Judges of Probate within the  
 “ Province seem to practice variously upon them in their respective  
 “ Counties.

“ Many Instances of this Kind may be pointed out in the Province  
 “ Law-Book; but every Gentleman's own Observation will readily  
 “ suggest them to him; so that I believe it will be easily allow'd that  
 “ the reducing of the Province Laws now in Force, from the per-  
 “ plex'd, obscure State, in which the Multitude of additional or expla-  
 “ natory Acts, and others made for the Alteration, Amendment, or  
 “ Revival of them, hath involv'd them, into a regular, well digested,  
 “ clear Body of Laws, would be greatly serviceable to His Majesty's  
 “ Subjects within this Province in particular, and is a very desirable  
 “ Work.

“ And what reasonable Objection can be made, *Gentlemen*, to your  
 “ entering upon the Execution of it, I can't after the most mature  
 “ Consideration, I am able to give this Matter, apprehend.

“ You will be under no Obligation in executing it to make any  
 “ Alteration in the Substance of your present Laws; all that is pro-  
 “ pos'd is, that the three Branches of the Legislature should consider  
 “ and revise such of them, as are not of a private Nature, and in Lieu  
 “ of them frame and pass a compleat and well digested Body of new  
 “ Laws.

“ In doing this, you will exercise the same Liberty and Freedom of  
 “ Judgment which former Assemblies at first us'd in the enacting of  
 “ the

“ the present Laws : Such of *them* as you shall judge it adviseable to  
 “ continue in their present Form, you will re-enact in the same Words  
 “ in which they were at first pass’d ; and as to the new framing of  
 “ such, as you shall think it best to have alter’d by collecting the several  
 “ additional or explanatory Laws, Clauses, or Sentences of Laws  
 “ relative to the same Matter, which is at present scatter’d in a confus’d  
 “ Manner in the Law Book, into one or more well digested Act  
 “ or Acts, in order to make them more clear & easy of Construction  
 “ to the Inhabitants in general, and consequently of greater Utility to  
 “ the Community, you will use your own Discretion, by which you are  
 “ to be regulated solely in compiling the new Body of Laws.

“ And after passing them, I am order’d by His Majesty to transmit  
 “ each of ’em separately under the Seal of the Province, together with  
 “ very particular Observations thereupon, to the Lords Commissioners  
 “ for Trade and Plantations, in order to be lay’d before His Majesty  
 “ in his Privy Council, for his Royal Approbation or Disallowance :  
 “ which is the Condition prescrib’d in your Charter with Regard to  
 “ every Law that is pass’d in the Province, in order to it’s receiving  
 “ His Majesty’s final Sanction or Disallowance.

“ It is therefore most evident, *Gentlemen*, That your Compliance  
 “ with His Majesty’s Royal Pleasure in this Case, will not have the  
 “ least Tendency to infringe upon your Charter-Privilege, granted for  
 “ the framing and passing of Laws for the Government and Welfare  
 “ of His Majesty’s Subjects within this Province ; neither can I  
 “ foresee any Inconvenience which can attend it.

“ As to what some Gentlemen have thought, that in Case any Part  
 “ of the new Body of Laws shall be disallow’d by his Majesty, the  
 “ whole will be void ; I don’t apprehend there is any Danger of that ;  
 “ for the Body is to be compos’d of several single Acts, which are to  
 “ be transmitted separately, each under the Seal of the Province for  
 “ his Majesty’s Royal Approbation or Disallowance ; so that tho’ his  
 “ Majesty should disallow of some, that could not affect the others  
 “ which he should approve of, but they would finally have their intended  
 “ Force and Effect.

“ If indeed, as I have heard, many imagine, the present Laws which  
 “ may be repeal’d by any of the new ones, should be absolutely vacated  
 “ by the repealing Clauses in those Acts, so that in Case of his  
 “ Majesty’s Disallowance of those new Laws, the old Laws repeal’d  
 “ by them should not be reviv’d upon such Disallowance, and the  
 “ Consequence would be that the Province would lose the Benefit of  
 “ it’s old Laws as well as of the new ones, that would indeed be a  
 “ very considerable Objection against venturing to compile a new Body  
 “ of Laws : But that will appear upon Consideration, to be a manifest  
 “ Mistake ; for it is well known, that in the common Case of passing  
 “ any new Law for the Alteration or Repealing of a former Law, if  
 “ his Majesty disallows the new one, the *Alteration* or *Repeal* of the  
 “ former Law therein contain’d is disallowed too, and that the Effect  
 “ of such Disallowance is to restore the old Law to it’s former Force  
 “ and Vigour.

“ It is true indeed, that notwithstanding this, if any of the new  
 “ Laws should immediately take Effect upon their being pass’d  
 “ here, and be acted upon for two or three Years, and finally disallow’d  
 “ by his Majesty, Inconveniencies might arise from the Operation  
 “ of them during the Time, which shall intervene between the  
 “ passing



“ passing of them by the Legislature of the Province, and his Majesty’s  
 “ Disallowance of them : But such Inconveniencies are effectually  
 “ guarded against by the Provision made in his Majesty’s In-  
 “ struction, which directs that a Clause shall be inserted in every one  
 “ of the new Laws to prevent their taking Effect, until they shall re-  
 “ ceive his Majesty’s Royal Approbation or Disallowance, so that the  
 “ Laws now in Being will remain in their present Force until his  
 “ Royal Pleasure shall be known, and not the least Risque will be run  
 “ of any Inconvenience in the Case.

“ As to any Jealousies, *Gentlemen*, that an Attempt may be made  
 “ upon this Occasion to introduce Alterations into any of the new  
 “ Laws ; it is expressly declar’d in his Majesty’s Instruction that they  
 “ are to be transmitted only to receive his Majesty’s Royal Approba-  
 “ tion or Disallowance ; and there is no more Foundation for such a  
 “ Jealousy than there is in the ordinary Case of transmitting Home  
 “ any single Law whatever from the Province, in order to be laid be-  
 “ fore his Majesty for his Royal Approbation or Disallowance.

“ This Scheme, *Gentlemen*, I must observe to you, took its Rile from  
 “ a voluntary Motion of the Assembly in his Majesty’s Colony of *Virginia*,  
 “ occasioned by the Inconvenience they found within that Government  
 “ from the Disorder and Confusion arising from the many Acts made  
 “ there for altering, explaining, repealing and reviving their Laws :  
 “ And the good Effects which his Majesty’s Subjects of that Colony  
 “ found from their Execution of it induc’d him to communicate them  
 “ to his Subjects in his other Colonies upon this Continent, by sending  
 “ his Instruction now laid before you to his several Governors there,  
 “ to recommend the Example of his Colony of *Virginia* to them ;  
 “ and the Plan upon which they had proceeded with so much  
 “ Success, tho’ the following of that is entirely left to your own  
 “ Discretion.

“ *Gentlemen*,

“ This is a remarkable Instance of his Majesty’s paternal Care of his  
 “ Subjects within his Colonies, and his constant Attention to their  
 “ Welfare in every Respect ; I hope you will receive it as such, and  
 “ pay a due Regard to it ; that you will readily embrace the Opportu-  
 “ nity now offered you of doing a most signal Service to your Coun-  
 “ try, and distinguishing this Assembly in the Annals of it’s History,  
 “ for setting on Foot so salutary a Work.

*Council Chamber January*

*W. S H I R L E Y.*

18th 1754.

*Ordered*, That the Consideration of His Excellency’s Speech be re-  
 ferred to Tuesday next ten o’Clock.

Message to  
the Board.

*Ordered*, That Mr. *Fletcher* go up with a Message to the honourable  
 Board, to enquire whether they had passed on the Bill for Naturalizing  
*John Amiel*. Who returned that he was informed that they had not  
 passed upon it.

A Petition of *Peter Hay*, and others, Agents for the Town of *Stone-*  
*ham*, praying that certain Lands belonging to the Town of *Charlestown*  
 may be annexed to said *Stoneham*, for the Reasons mentioned.

Read and committed to the Committee of both Houses appointed  
 by this Court to consider the Petition of the Town of *Medford*, to con-  
 sider and report thereon. Sent up for Concurrence.

Then the House adjourn’d till to Morrow Morning ten o’Clock.

*Sabbati*

Sabbati 19. Die Januarii, A. D. 1754.

A Petition of *Elisba Goodrich*, and others, praying that the Govern-  
ment would sell them a Township of six Miles square, lying  
between *Poontofuck* & Numb. *Four*, for the Reasons mentioned.

Read and committed to Col. *White*, Capt. *Marcy*, and Col. *Otis*, to  
consider and report thereon.

A Bill Intituled *An Act in Addition to An Act Intituled An Act for  
further regulating the Course of Judicial Proceedings.*

Read a second Time, and committed to Col. *White*, Col. *Otis*, and  
Col. *Worthington*, to make the proposed Amendments.

Ordered, That Mr. *Allen*, Mr. *Bucknam*, and Mr. *James Bowdoin*, be  
a Committee in the Recess of the Court, to make Enquiry what Money  
is in the Hands of the several Collectors of Tea, Coffee, &c. and make  
Report at the next Sitting of the Court.

A Petition of *William Bowdoin*, and others, praying for Liberty to  
make Sale of certain Lands that the honourable *James Bowdoin*, Esq;  
died seized of, as mentioned in the Petition, for the Reasons mentioned.

Read and committed to Capt. *Livermore*, Mr. *Gibbs* of *Newton*,  
and Mr. *Turner*, to consider and report thereon.

*John Otis*, Esq; brought down a Report of the Committee for farm-  
ing the Excise in the County of *Middlesex*.

Signed *Ezekiel Cheever*, per Order.

Read and accepted, and Ordered, That the said Committee be allow-  
ed and paid out of the publick Treasury the Sum of *two Pounds eight  
Shillings and two Pence*, in full for their Time and Expences in farming  
said Excise.

Sent up for Concurrence.

*Samuel Danforth*, *Samuel Watts*, *John Greenleaf*, and *Sylvanus Bourn*,  
Esqrs; came down with a Message from the honourable Board, which  
they read and laid on the Table, viz. In Council, *January 18th 1754.*  
Voted, That the following Message be sent down to the honourable  
House.

“ THE Board cannot help expressing their Surprize at a Vote  
“ passed the honourable House this Session, empowering a Com-  
“ mittee of their own Members to destroy certain Lottery Tickets the  
“ Interest of the Province, to adjust the Accounts of the late Treasurer  
“ *William Foye*, Esq; to receive the Ballance due, and to pay the same  
“ to the present Treasurer, and all this without the Participation of the  
“ other Branches of the Legislature : The Committee of the honoura-  
“ ble House proceeded so far as to execute the first Part of their Com-  
“ mission, and have caused the aforesaid Lottery Tickets to be burnt  
“ to Ashes : And altho’ the House have since joined their own Com-  
“ mittee with a Committee appointed by the Board for the very Pur-  
“ poses mentioned in the aforesaid Vote of the House, and by this  
“ Means that Part of the Business which is still unfinished will become  
“ the Act of the two House, which also seems to imply an Acknow-  
“ ledgement of the House they have assumed too great a Power in the  
“ first Vote ; yet the Board think it incumbent on them to remonstrate

G g g

“ against

“ against such incautious Proceedings of the honourable House, least  
 “ they should be urged as Precedents to support the like Practice for  
 “ the future : The Board are desirous of contributing all in their Power  
 “ to preserve a perfect Harmony between the several Branches of the  
 “ Legislature, and as they have avoided encroaching on the Rights of  
 “ the other Branches, so they are determined to insist on their own  
 “ Right ; and therefore they desire the honourable House in their  
 “ future Votes and Orders, to avoid every Thing which may bear upon  
 “ the Privileges of the Board.

Petition of  
 Stoneham bro't  
 down.

*John Quincy, Esq;* brought down the Petition of the Agent of *Stoneham*. Pass'd in Council, *viz.* In Council *January* 19th 1754. Read and non-concur'd, and *Ordered*, That the Petitioners serve the Town of *Charlestown* with a Copy of this Petition, that they may shew Cause, if any they have, on the first Thursday of the next Sitting of this Court, why the Prayer thereof should not be granted.

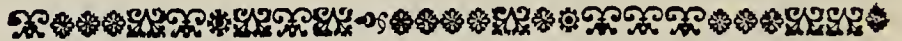
Sent down for Concurrence.

Read and concur'd.

Report on  
 Sagadahoc Pe-  
 tition.

The Committee appointed on the Petition of sundry Inhabitants on *Sagadahoc-River*, as entered the 28th of *December* last, reported that the Number of Inhabitants there are not at present sufficient to be set off a seperate District. Which Report was accepted ; and thereupon, *Voted*, That the said Petition be dismiss'd.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon

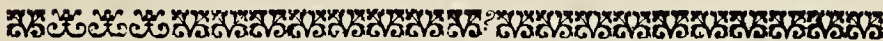




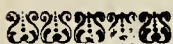



# VOTES

Of the House of Representatives.



Lunæ 21. Die Januarii, A. D. 1754.

 Petition of *James Day* of *Boston*, praying he may be allowed Licence to keep a House of publick Entertainment in the House called the Sun-Tavern. Petition of  
*James Day*:

 Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, at their Adjournment, be and hereby are impowred, if they see fit, to grant Licence to the Petitioner, to keep a House of publick Entertainment at the Place mentioned, he obtaining the Approbation of the Select-Men of the Town of *Boston*, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

*Sylvanus Bourn*, Esq; came down with a Message from the honourable Board, to enquire whether the House had passed on the Bill for the speedy finishing the Land Bank, &c. Message from  
the Board.

Ordered, That Col. *Worthington*, Mr. *Allen*, and Col. *Otis*, with such as the honourable Board shall join, be a Committee to prepare a Bill in Addition to the several Acts for the more speedy finishing the Land Bank or Manufactory Scheme. Sent up for Concurrence.

A Petition of *Timothy Brown*, praying an Allowance for his going as Pilot to *Canada*, with sundry Persons who went to redeem their captive Children. Petition of  
*Timothy Brown*

Read and committed to Mr. *Stockbridge*, Mr. *Marcy*, and Mr. *Mosely*, to consider and report thereon.

The Committee appointed on the Petition of *Richard Smith* of *Roxbury*, reported according to Order.

Read and accepted, and Ordered, That there be allowed and paid out of the publick Treasury the Sum of *six Pounds two Shillings & eight Pence* to the Petitioner *Richard Smith*, in full of his Account for Billeting the Persons mentioned in the Petition. Report on  
Petition of  
*Richard Smith*

H h h

*Jacob*

Addresses to his Majesty bro't down. *Jacob Wendell, Stephen Sewall, and Benjamin Lincoln, Esqrs;* brought down an Address to the King's most Excellent Majesty. Pass'd in Council, viz. In Council *January 21st 1754.* Read and accepted, and *Ordered,* That the Secretary be directed to subscribe the same in Behalf of the Council. Sent down for Concurrence.

Read and concur'd, and *Ordered,* That the Speaker subscribe the same in Behalf of the House.

Letter from Mr. *Woodbridge.*

On reading a Letter from Mr. *Timothy Woodbridge of Stockbridge,* *Ordered,* That Col. *Partridge,* Col. *Otis,* and Col. *White,* be a Committee to consider and report what may be proper to be done for the aged Father & Uncle of the Indian killed by one *Cooke* the last Winter, at *Stockbridge,* whose Death was adjudged on Trial to be Man-slaughter.

Committee for Enquiry.

On a Motion made and seconded, *Ordered,* That Col. *White,* Col. *Worthington,* and Mr. *Murray,* be a Committee to make Enquiry into the Conduct of the Justices of the Peace in the several Counties, respecting their paying in according to Law, the Fines by them received; and also to project some suitable Method for the Payment of the Justices of the several Courts of General Sessions of the Peace, for their Travel and Attendance on said Courts, and report as soon as may be.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Martis 22. Die Januarii, A. D. 1754.

Vote on Liecester Assessments.

*Whereas in assessing the Inhabitants of the Town of Liecester for the Minister's Taxes for the Year 1753, the Assessors of the Town of Liecester made the said Rates or Assessments; and Disputes have arisen, whether said Assessors have Power to do the same, being only Assessors for the Town:* Therefore,

*Voted,* That the said Assessments so made and signed by the Assessors of said Town, shall be deemed and held good and valid to all Intents and Purposes, any Disputes that have arisen concerning the same notwithstanding. Sent up for Concurrence.

Bill engross'd.

A Bill Intitl'd *An Act for preventing the unnecessary Destruction of Alewives in the Town of Sandwich.*

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Petition of *Joseph Goldthwait.*

A Petition of *Joseph Goldthwait of Boston,* praying for Liberty to keep a House of publick Entertainment &c. for the Reasons mentioned.

Read and *Ordered,* That the Prayer of the Petition be so far granted, that the Court of General Sessions of the Peace for the County of *Suffolk,* be impowred at the Time to which they stand adjourned, if they see fit, to Licence the Petitioner to keep a House of publick Entertainment, he obtaining the Approbation of the Select-Men of the Town of *Boston,* the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

Report bro't down.

*Joseph Pyncheon, Esq;* brought down a Report of a Committee of both Houses. Pass'd in Council, viz. In Council *January 21st 1754.*

Read and sent down,

Which is as follows.

The

The Committee appointed the 16th Instant, to receive the Ballance of the late Treasurer *Foye's* Accompts, that might be in his Hands, and to consume to Alhes the Lottery Tickets belonging to the Province ; have attended that Service, and have received from the said Mr. *Foye*, the Sum of *fifteen Hundred Pounds*, which they have paid to Mr. Treasurer *Gray*, and taken his Receipt therefor ; the remaining Ballance being *two Thousand three Hundred sixty six Pounds thirteen Shillings and two Pence*, the said Mr. *Foye* is still accountable to the Province for.

Report on the  
late Treasu-  
rer's Accompt

Signed *Jacob Wendell*, per Order.

Read and accepted, and Ordered, That the said late Treasurer Mr. *Foye*, be still accountable to the Province for the Sum of *two Thousand three Hundred and sixty six Pounds thirteen Shillings and two Pence*.

Sent up for Concurrence.

An Accompt of Capt. *John Ashley*, one of the Committee appointed by this Court, to provide for the Mohawks at *Stockbridge*, was presented for Allowance.

Petition of  
*John Ashley*.

Read and Ordered, That the said Accompt be committed to the Committee on the Petition of the Hon. *Joseph Dwight*, Esq; to consider and report thereon.

Sent up for Concurrence.

Ordered, That Mr. Speaker, *Samuel Welles*, *John Worthington*, and *James Otis*, Esqrs; and Capt. *Joseph Williams*, with such as the honourable Board shall join, be a Committee to take under Consideration, his Excellency's Speech of the 18th of *January* Instant, and report what it may be proper for this Court to do thereon at the next Sitting of the Court.

Committee on  
Governor's  
Speech rela-  
ting to a Re-  
vival &c. of  
the Laws.

Sent up for Concurrence.

Mr. Secretary brought down from his Excellency the Governour, a Letter from His Excellency *James Hamilton*, Esq; Governour of *Pennsylvania*, dated *Philadelphia December 26th 1753*. Which he read and then withdrew.

Letter from  
Governor  
*Hamilton*.

### *Post Meridiem.*

*John Otis*, Esq; brought down a Vote passed this Day appointing a Committee to join with the honourable Board, to take under Consideration his Excellency's Speech of the 18th Currant. Pass'd in Council, viz. In Council *January 22d 1754*. Read and concur'd with the Amendment at A, and *Samuel Watts*, *Andrew Oliver*, and *Thomas Hutchinson*, Esqrs; are joined in the Affair.

Vote of Coun-  
cil brought  
down.

Sent down for Concurrence.

Read and nonconcur'd, and the House adhere to their own Vote.

Sent up for Concurrence.

Ordered, That the Committee appointed to make up the List of the Travel and Attendance of the Members of the House at this Session, extend the same to include *Thursday* next.

A Bill Intituled *An Act for further regulating the Course of Judicial Proceedings*. Read a second Time, and Ordered, That the Bill have a third Reading to Morrow ten o'Clock.

Bills read.

A Bill Intituled *An Act to encourage the Raising and Importation of Wheat*. Read a first Time.

The



Report on  
Petition of  
*Elisba Goodrich* The Committee appointed on the Petition of *Elisba Goodrich*, and others, reported.  
Read, and not accepted, and *Ordered*, That the Report lie on the Table.

Petition of  
*Benj. Kent*  
bro't down. *John Otis*, Esq; brought down the Petition of *Benjamin Kent*, Attorney to *Roger Passmore*. Pass'd in Council, viz. In Council *January* 22d 1754. Read and *Ordered*. That the Petitioner serve the adverse Party with a Copy of this Petition, that he shew Cause, if any he hath, on Thursday next, why the Prayer thereof should not be granted.  
Sent down for Concurrence. Read and nonconcur'd.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Mercurii 23. Die Januarii, A. D. 1754.

Petition of  
*Cesar Ferrit*,  
bro't down. *John Greenleaf*, Esq; brought down the Petition of *Cesar Ferrit*, Indian Planter of *Natick*. Pass'd in Council, viz. In Council *January* 19th 1754. Read and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioner have Liberty (with the Assistance and under the Direction of the Guardians of the Indians in *Natick*, provided they approve thereof) to make Sale of twenty Acres of his Land for the most that may be, due Notice being previously given of the intended Sale, the Proceeds of such Sale to be applied by said Guardians for discharging the Petitioner's just Debts, and the Remainder (if any there be) to be improved for the best Advantage of the Petitioner.  
Sent down for Concurrence.  
Read and concur'd.

The Committee appointed the 21st Instant to consider what may be proper to be done for *Waunaupaugus*, Father to the Indian that was killed the last Winter at *Stockbridge*, reported, that the Sum of Six Pounds be paid out of the publick Treasury for the Support of the said *Waunaupaugus* in his old Age.

Read and accepted, and *Ordered*, That the Sum of Six Pounds be paid out of the publick Treasury, and put into the Hands of Mr. *Timothy Woodbridge* of *Stockbridge*, and by him to be employed for the Support and Comfort of the said *Waunaupaugus* in his old Age.  
Sent up for Concurrence.

Bill read. *James Minot*, Esq; brought down a Bill Intituled *An Act for preventing the unnecessary Destruction of Alewives in the Town of Sandwich*. Pass'd in Council, viz. In Council *January* 23d 1754. Read and passed a Concurrence with Amendments. Sent down for Concurrence.  
Read and concur'd.

A Message from His Excellency by Mr. Secretary to both Houses, viz.

Governor's  
Message rela-  
ting to Agent  
*Bollan*. " *Gentlemen of the Council and House of Representatives*,  
I Can't satisfy myself to have this Session clos'd without recommending to you the Case of your Agent Mr. *Bollan*, of whose Fidelity and Diligence in soliciting the Affairs of this Province at the Court, and several Offices in *Great-Britain*, where they have been depending, to which I was a Witness during my Stay in  
" *England* :

[Pounds]

“ *England* : The General Assembly hath received so extraordinary and  
 “ successful Instances thro’ the whole Course of his Agency, that I  
 “ think myself bound, as well out of a due Regard to the Interests of  
 “ the Province, as in Justice to Mr. *Bollan*, to put you in Mind how  
 “ necessary it is that he should be sufficiently supported in the Execu-  
 “ tion of this important Trust. I perceive by some of his late Letters  
 “ to this Court, which I don’t find have been answer’d, he mentions,  
 “ his taking up a considerable Sum of Money upon his own private  
 “ Credit, to defrey the Charges he has been put to in the Service of  
 “ this Province, which must doubtless be a great Discouragement to  
 “ him in it. You are all sensible, *Gentlemen*, how high Mr. *Bollan*  
 “ stood in the Business of his Profession in this and the neighbouring  
 “ Colonies, before he engaged in the Service of this Province ; and I  
 “ am certain, that Nothing but his well known Zeal for discharging  
 “ his publick Trust in the most effectual Manner, hath detained him  
 “ so long from his Family and Business here, to the great Injury of his  
 “ private Fortune, and his Health, which hath been greatly impaired  
 “ by his assiduous Attendance upon it.

“ The Province, *Gentlemen*, hath several very interesting Points now  
 “ depending with the Government at Home, and will have more by  
 “ the next Fall ; and I have Reason to believe that Mr. *Bollan* pro-  
 “ posed to attend the Settlement of them until the Spring following,  
 “ in which Case I think there is a fair Prospect of their being bro’t  
 “ to a happy Conclusion. But his Stay in *England*, and attending  
 “ the Care of them, cannot be expected unless you shall properly sup-  
 “ port him in the Service.

“ Should he be obliged to quit it before they are settled, this Pro-  
 “ vince would in all Probability greatly suffer in their Interests thereby.

“ I therefore cannot but hope, *Gentlemen*, that you will reconsider  
 “ his Letters, and make him timely and reasonable Remittances.

*Council Chamber January*

*W. S H I R L E Y.*

22d 1754.

*Ordered*, That His Excellency’s Message be taken under Considera-  
 tion three o’Clock Afternoon.

The Committee appointed on the Petition of *Robert Hewes*, reported. Report on  
 Read and *Voted*, That the Sum of *Twenty-six Pounds thirteen Shil-* Petition of  
*lings and four Pence* be allowed and paid out of the publick Treasury *Robert Hewes.*  
 to the Petitioner *Robert Hewes*, in full for past Services by him done  
 for the Government. Sent up for Concurrence.

### *Post Meridiem*

*John Wheelwright, Esq;* brought down a Report of a Committee of  
 both Houses, in the Words following, *viz.*

The Committee appointed to consider what may be necessary to be  
 done for obtaining a compleat Impression of the Temporary Laws, are Report of a  
 of Opinion, that the Printers should be directed to strike off a sufficient Committee of  
 Number of the Laws that are out of Print, to supply the Pages that both Houses  
 may be wanting in the Books of the last Impression ; and that the Titles bro’t down.  
 of the several Acts in the Order of their being passed be printed, and  
 stitched or bound up at the Beginning of the Book ; and that for the  
 future, after the passing of a sufficient Number of Laws to fill a Page  
 with the Titles thereof, the said Titles be in like Manner printed or

stitched or bound up from Time to Time, next in Order after the Laws of which the said Page shall contain the Titles ; and that the Secretary give the necessary Direction accordingly.

Signed *Thomas Hutchinson*, per Order.

Pafs'd in Council, viz. In Council *January 23d 1754.* Read and Ordered, That this Report be accepted.

Sent down for Concurrence. Read and non-concur'd.

Committee on Laws. Ordered, That Mr. Speaker, *Samuel Welles*, and *James Otis*, Esqrs; with such as the honourable Board shall join, be a Committee as soon as may be, to cause the Temporary Laws to be Re-printed, and the vacant Pages where there may be Omission in the Perpetual Laws to be filled up. Sent up for Concurrence.

Bill read. A Bill Intituled *An Act for further regulating the Course of Judicial Proceedings.*

Read a third Time, and concur'd as taken into a new Draught.

Sent up for Concurrence.

Grant to Agent *Bollan*.

The House according to the Order of the Day entered into the Consideration of His Excellency's Message of the 22d Instant, and after a Debate had thereon, Voted, That the Sum of *five Hundred Pounds* Sterling be paid out of the publick Treasury to Mr. Agent *Bollan*, to enable him to transact the Affairs of the Province at the Court of *Great-Britain*, he to be accountable therefor.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Jobis 24. Die Januarii, A. D. 1754.

Bill enacted.

**A**N engross'd Bill Intituled *An Act for preventing the unnecessary Destruction of Alewives in the Town of Sandwich.*  
Read and Resolved, That the Bill pass to be enacted.

Report on Petition of *Tim. Brown*.

The Committee appointed on the Petition of *Timothy Brown*, as entred the 19th Instant, reported.

Read and accepted, and thereupon Voted, That there be allowed and paid out of the publick Treasury to the Petitioner *Timothy Brown*, the Sum of *four Pounds ten Shillings*, in full Satisfaction for his Services mentioned in the Petition. Sent up for Concurrence.

Petition of *Wm. Foye*, Esq;

The Petition of *William Foye*, Esq; late Treasurer, as entred the 12th of *December* last, was read, and after a Debate had thereon, Voted, That the Petition be referred to the next Sitting ; and that Mr. Speaker, Col. *Otis*, Capt. *Joseph Williams*, Col. *Buckminster*, and *Samuel Welles*, Esq; be a Committee to examine into the Services of the said Mr. *Foye*, as Treasurer, both ordinary and extraordinary, and make Report at the next Sitting of the Court.

Report on the Sale of Land.

*Joseph Pyncheon*, Esq; brought down the Report of a Committee of both Houses appointed to make Sale of the Province Lands.

Signed *Samuel Watts*, per Order.

Pafs'd in Council, viz. In Council *January 23d 1754.* Read and sent down : The Report is as follows, viz.

The



The Land Sold to *Edmund Quincy*, and by }  
 him releas'd to *John Erving*, Esq; }  
 adjoining to *Road-Town*, sold for, } £. 524 4 10

Said *Erving* paid into the Treasury, £. 515 4 10  
 Paid the Committee by him advanced 9 0 0  


---

 £. 524 4 10

The Land Sold to *Joseph Wilder*, and by }  
 him releas'd to *John Erving*, Esq; }  
 adjoining to *New-Salem*, sold for } £. 152 0 0

Said *Erving* paid into the Treasury £. 149 0 0  
 Advanced to the Committee 3 0 0  


---

 £. 152 0 0

Land Sold to *James Allen*, Esq; and by }  
 him releas'd to Mr. *Downe* at *Lunen-* }  
*burgh*, sold for } £. 15 0 0

Land Sold to *Isaac Royal*, Esq; and by him }  
 releas'd to *Houghton* and *Whitcomb*, the }  
 Deed left in Col. *Chandler's* Hands, not }  
 to be recorded until said *Chandler* receive }  
 the Money for the Province Use. } £. 40 0 0

Colonel *Chandler* accountable £. 38 4 0  
 Advanced to the Committee 1 16 0  


---

 40 0 0

Land at *Sunderland* put up at £. 500, no Bidders, the Committee with the honourable *Thomas Hubbard*, Esq; propos'd to take it at the Price, but Col. *Heath* dying, who was one of the Committee, nothing further was done in the Affair, of which said *Hubbard* has already inform'd the honourable House of Representatives.

Land at *Charlemount* was put up according to the Order of Court, but no Bidders appeared.

The Committee discharge themselves agreeable to the above Account, as per Account herewith exhibited, and pray an Order for the Ballance thereof, being *eight Shillings and five Pence half Penny*.

Read and accepted, and Ordered, That the said Committee be allowed and paid out of the publick Treasury the said Sum of *eight Shillings and five Pence half Penny*. Sent up for Concurrence.

Ordered, That Mr. Speaker, and Capt. *Joseph Williams*, with such the honourable Board shall join, be a Committee to make Sale of that Tract of the Province Land lying between the Township of *Sunderland* and *Miller's River*; and that the same be sold in the Town of *Boston*, within fifteen Days from this Time, to the highest Bidder; and that the said Committee notify the same in the *Evening-Post* as soon as may be. Sent up for Concurrence.

Committee  
for Sale of  
Land.

Bill read and refer'd. A Bill Intitl'd *An Act to encourage the Raising and Importation of Wheat*. Read a second Time and referred to the next Sitting for further Consideration.

### Post Meridiem.

Bill enacted. An engross'd Bill Intitl'd *An Act for further regulating the Course of Judicial Proceedings*.  
Read and Resolved, That the Bill pass to be enacted.

Report on Petition of John Morey &c. The Committee appointed on the Petition of *George Morey, Jonathan Carver, and Abiah Lee*, as entred the last Session, and referred, reported.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace for the County of *Bristol* at their next Sessions, be and hereby are directed to issue their Warrants on the County Treasurer for said County, for the Payment of the Charges mentioned in the Petition, having first estimated the Reasonableness of the said Demands.  
Sent up for Concurrence.

Report on Petition of Joseph Dwight Esq; *Isaac Royall*, Esq; brought down the Report of the Committee of both Houses on the Petition of *Joseph Dwight*, Esq;  
Signed *John Quincy*, per Order.  
In Council, Read and sent down.

Read, and thereupon Voted, That there be allowed and paid out of the publick Treasury to the said *Joseph Dwight*, Esq; the Sum of *One Hundred and sixty one Pounds fifteen Shillings & eight Pence*, being the Ballance of his Accompt exhibited as one of this Court's Committee to provide for the Mohawks at *Stockbridge*, which is exclusive of the Sum of *One Hundred & fifty Pounds* contained in said Accompt, which he supplied the Indian Boys in the School of Mr. *Isaac Hollis*, at *Stockbridge*: And that there be and hereby is granted unto the said *Joseph Dwight*, Esq; his Heirs and Assigns, three Rights in the Township lying between *Northampton* and *Poontofuck*, ordered to be opened this Session, he performing the Conditions of Settlement upon each of said Rights; which Lands are in full Satisfaction for his Time & Expences respecting the said Mohawks.  
Sent up for Concurrence.

Order on Accompt of John Ashley. An Accompt of *John Ashley*, Esq; one of the Committee of this Court to take Care of the Mohawks at *Stockbridge*, amounting to the Sum of *twenty four Pounds eighteen Shillings & eight Pence*, for sundry Supplies for said Mohawks, was presented for Allowance.

Read and Ordered, That the said Sum be allowed and paid out of the publick Treasury to the said *John Ashley*, Esq; in full discharge of his Accompt.  
Sent up for Concurrence.

Report relating to Mr. Hollis's School at Stockbridge. *Isaac Royall*, Esq; brought down a Report of a Committee of both Houses on that Paragraph of his Excellency's Speech which relates to the cultivating the Friendship of the Indians of the six Nations.  
Signed *Samuel Watts*, per Order.

In Council January 17th 1754. Read and sent down.

Read, and whereas it appears that Capt. *Martin Kellogg*, who was employed by Mr. *Isaac Hollis* to support and educate at his Charge twenty four Indian Boys, is now dead, and that the said Mr. *Hollis's* School must

must drop unless some Person be employed to take Care of the same, until his Order be sent to some Person for that Purpose from *Great-Britain* :  
Therefore,

*Voted*, That Brigadier *Dwight* be impowred at the Charge of this Government to continue the said School at *Stockbridge*, until the said Mr. *Hollis's* Pleasure be known respecting the same ; provided it exceed not the Term of six Months from this Time ; and that the Secretary be directed to write to the Executors of Sir *Peter Warren*, deceased, desiring that they would give Orders respecting the Sum of *Seven Hundred Pounds Sterling* which he had appropriated for the educating of the Mohawk Children.  
Sent up for Concurrence.

The Committee appointed on the Petition of Mr. *William Bowdoin* and others, reported.

Read and accepted, and *Voted*, That the Prayer of the Petition be granted, and that *William Bowdoin* and *James Beauteneau*, Guardians to the six Children of *Mary Bayard*, viz. *Mary Bourn*, the Wife of *Meletiah Bourn*, *James*, *William*, *Mebetible*, *Phebe*, and *Sarah Bayard*, to whom the Hon. *James Bowdoin*, Esq; deceased, gave one seventh Part of said Lands, as by his last Will and Testament appears, in their Capacity be and hereby are authorized to join with the other Relatives and Coheirs in the Sale of the Premises, for the most it will fetch, and to execute a good Deed or Deeds of Conveyance of the same, they giving publick Notice thereof previous to the Sale, in Time and Manner as prescribed by the Law of this Province in such Cases ; they also giving sufficient Caution to the Judge of Probate for the County of *Suffolk*, that the Proceeds of such Sale shall be duly applied and put out at Interest for the Benefit of *Mary Bourn*, *James*, *William*, *Mebetible*, *Phebe*, and *Sarah Bayard*, the Minors, and that both Principal and Interest be delivered them, necessary Charges being first deducted, when they shall arrive at lawful Age, the said Guardians to be accountable to the Judge of Probate for the Time being of the County aforesaid, for their Proceedings in the Premises.  
Sent up for Concurrence.

Report on  
Petition of  
*Wm. Bowdoin*  
&c.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Veneris 25. Die Januarii, A. D. 1754.

*Andrew Oliver*, Esq; brought down a Report of a Committee of both Houses relating to the Guardians of the *Punkapaug* Indians. Pass'd in Council, viz. In Council read, and *Ordered*, That this Report be re-committed to the same Committee, and that they make Report at the next Sitting of this Court. Sent down for Concurrence.  
Read and concur'd.

Report on  
the Affair of  
*Punkapaug* In-  
dians.

The Committee appointed to audit & examine the Accompts of *John Wheelwright*, Esq; Commissary General, beginning *May 1751*, & ending *May 1752*, reported that they have examined said Accompts, and find the same right cast and well vouch'd, and that the said Mr. *Wheelwright* has disbursed for his Majesty's Service the Sum of *Seventeen Thousand nine Hundred fifty one Pounds six Shillings & one Penny*, old Tenor ; and that he hath received of the Province Treasurer by Warrant in Part thereof, with

K k k

several



several Articles sold belonging to the Province, amounting to *Seven Thousand six Hundred & three Pounds three Shillings & ten Pence* old Tenor, to the 31<sup>st</sup> of *May 1752* : There is therefore due from the Province to the said Commissary *Wheelwright* for the Ballance thereof *Ten Thousand three Hundred forty eight Pounds two Shillings & three Pence*, Old Tenor.

Read and accepted, and Ordered, That the said Sum of *Ten Thousand three Hundred forty eight Pounds two Shillings & three Pence*, Old Tenor, be paid to the said Commissary-General accordingly.

Sent up for Concurrence.

The said Committee further report, that they have examin'd the Commissary-General's Accompts of the Indian Truck-Trade, from *May 1751*, to *May 1752*, and that the Ballance thereof due from him to the Province is *Thirty Thousand one Hundred & thirty two Pounds fifteen Shillings & two Pence* old Tenor.

Read and accepted, and Ordered, That the said Commissary-General be further accountable for said Sum of *Thirty Thousand one Hundred and thirty two Pounds fifteen Shillings and two Pence* old Tenor.

Sent up for Concurrence.

The said Committee further reported, that they have examined the Accompts of sundry Species in the Hands of *John Wheelwright, Esq;* from *May 1751* to *May 1752*, and there remains due to the Province three Barrels of Pork, and ninety-four Bushels and one Quart of Pease, which the said *Wheelwright* is further to account for.

Read and accepted, and Ordered, That the said *John Wheelwright, Esq;* be accountable for said three Barrels of Pork, and ninety-four Bushels and one Quart of Pease.

Sent up for Concurrence.

The Committee appointed to audit and examine the Accompts of *John Wheelwright, Esq;* Commissary-General, beginning in *May 1752*, and ending in *May 1753*, reported that they have examined the said Accompts, and find the same right cast and well vouch'd, and that the said Mr. *Wheelwright* has disbursed for his Majesty's Service the Sum of *Eighteen Thousand ninety six Pounds eighteen Shillings & eleven Pence* old Tenor, and that he hath received of the Province Treasurer by Warrants in Part thereof, with several Articles sold belonging to the Province, amounting to *Eleven Thousand four Hundred & eleven Pounds five Shillings and eleven Pence* old Tenor, to the 31<sup>st</sup> of *May 1753* ; there is therefore due from the Province to said *Wheelwright*, for the Ballance thereof, *Six Thousand six Hundred & eighty five Pounds thirteen Shillings* old Tenor.

Read and accepted, and Ordered, That the said Sum of *Six Thousand six Hundred eight five Pounds thirteen Shillings* old Tenor, be paid to the Commissary-General accordingly.

Sent up for Concurrence.

The said Committee further report, that they have examined the Commissary-General's Accompts of the Indian Trade from *May 1752* to *May 1753*, and that the Ballance thereof which is *thirty-three Thousand two Hundred and forty five Pounds one Shilling and one Penny* old Tenor, he is further accountable for.

Sent up for Concurrence.

The said Committee further report they have examined the Account of sundry Species in the Hands of *John Wheelwright, Esq;* from *May 1752* to *May 1753*, and there remains due to the Province seventeen  
Barrels

Barrels of Pork, and thirty-eight Bushels of Pease, which the said *Wheelwright* is further to account for.

Read and accepted, and *Ordered*, That the said *John Wheelwright*, Esq; be accountable for the said seventeen Barrels of Pork, and thirty eight Bushels of Pease. Sent up for Concurrence.

The Committee appointed to prepare a List of the Travel and Attendance of the Members of the honourable House the present Session, *Report on* List. reported, that they had prepared the same, which was read and approved of by the House, and the Clerk was directed to certify it accordingly, which being done, was Sent up for Concurrence.

*Benjamin Lincoln*, Esq; brought down the Vote for appointing a Committee for Re-printing the Temporary Laws. Pass'd in Council, *viz.* to Laws. [Lincoln] In Council *January* 24th 1754. Read and concur'd with the Amendment at A, and *Samuel Danforth*, and *Joseph Pynchon*, Esqrs; are joined in the Affair. Sent down for Concurrence.

Read and concur'd.

On a Motion made and seconded, *Voted*, That from and after the 20th Day of *February* next, no further Provision be made for the Pay and Subsistence of the five Men now posted at *Fort Dummer*; and that the Captain General be desired to direct Major *Josiah Willard* to take Care that the Artillery and other Warlike Stores there be secured for the Service of the Government. *Vote relating to Fort-Dummer.* Sent up for Concurrence.

On a Motion made and seconded, *Voted*, That from and after the 20th Day of *February* next, no further Provision be made for the Pay and Subsistence of the ten Men now posted at Numb. *Four* (so called) and that the Captain General be desired to direct Capt. *Phinebas Stevens* to take Care that the Artillery & other Warlike Stores there be secured for the Service of the Government. *No. Four.*

Sent up for Concurrence.

An engross'd Bill Intitl'd *An Act for further regulating the Course of Judicial Proceedings*. Read and *Ordered*, That the Bill be referred to the next Sitting, and that the same be printed with the Amendment at A and B. *Bill read.* Sent up for Concurrence.

A Bill Intitl'd *An Act in Addition to An Act Intitl'd An Act against diminishing or counterfeiting Money*. Read a third Time, and pass'd to be engross'd. Sent up for Concurrence.

*Whereas Doubts have arisen touching the true Meaning of a Paragraph in the last Act of this Province for Supply of the Treasury, which provides that any Merchant or Factor, &c. living in one Town, and carries on his Business and sets up his Stores in another, shall be liable to an Assessment in the two Towns where he so deals:* *Resolve on a Law.*

Therefore, be it *Resolved*, That the Intent of the said Act was, and shall be accordingly so understood for the future, that if any Person whatsoever liable by Law to be taxed, removing from one Town to another, shall set up or continue and carry on any steady regular Course of Business in the Town removed from, he shall be liable to be assessed to the publick Charge in such Town where he shall carry on such Business in Proportion to the Business he carries on there.

Sent up for Concurrence.

*Whereas*

Order relating  
to the late  
Treasurer. *Whereas the late Treasurer Mr. Foye, has in his List of Debts that he exhibited to a Committee of this Court, chosen at their Session in May last, represented a Debt due to the Government of One Hundred and twelve Pounds five Shillings last Emission Money, in the Hands of Benjamin House of Scituate, Constable, for the Year 1744, and it appearing by authentick Copies of said House's Receipts, that he paid said Treasurer Foye, and his Clerks, the full of the Sums committed to him to collect :*

Therefore,

*Ordered, That the said William Foye, Esq; charge himself with the said Sum of One Hundred and twelve Pounds five Shillings last Emission Money, and that Mr. Treasurer Gray, whom the said Mr. Foye has charged with that Sum, be discharged thereof accordingly ; and that the other Accompts be referred to the next Sitting for further Consideration.*

Sent up for Concurrence.

Message to  
the Board.

*Ordered, That Mr. Gibbs of Newton, go up to the honourable Board with a Message, to desire them to dispatch the Business lying before them, that the Court may rise if His Excellency pleases.*

Report on  
Petition of  
*Josh. Winslow,*  
Esq;

The Committee appointed on the Petition of *Joshua Winslow, Esq;* and others, reported.

*Read and Ordered, That the same be referred to the next Sitting of the Court ; and that Samuel Welles, Esq; Capt. Joseph Williams, and Mr. Stephen Hall, be a Committee to enquire into the Conduct of the Committee appointed by this Court to take Care of the Massachusetts-Frigate, chosen in the Year 1749.*

### *Post Meridiem.*

Petition of  
*John Kaufbamp*

A Petition of *John Kaufbamp*, one of the *Stockbridge* Indians, praying for Liberty to make Sale of fifty Acres of his Lands, for the Reasons mentioned.

*Read and Ordered, That John Worthington, Esq; enquire into the Circumstances of the Petitioner, and if he think proper, to make Sale of the Lands mentioned in the Petition, and cause the Produce of the same to be applied for the Support and Maintenance of the Petitioner and his Family.*

Sent up for Concurrence.

Allowance to  
*Joseph Dwight*  
Esq;

*Ordered, That the Sum of Seventy-five Pounds be allowed and paid out of the publick Treasury to the honourable Joseph Dwight, Esq; to enable him to provide for the Mobawks at Stockbridge, he to be accountable therefor.*

Sent up for Concurrence.

All Matters  
refer'd.

*Ordered, That all Matters now before this Court and not passed on, be referred to the next Sitting of the Court, and have the same Day in that, as was assigned at this Sitting.*

Sent up for Concurrence.

Committee of  
Enquiry.

*Ordered, That Col. Bradford, Col. White, and Col. Winslow, be a Committee to inquire into the Circumstances of the Lands belonging to the Province in the County of Plymouth, and particularly as to the Value of them, and make Report at the next Sitting of the Court.*

Message to the  
Governour.

*Ordered, That Col. Worthington, Col. Bradford, Mr. Nathanael Russell, Mr. Greenwood, and Capt. Joseph Williams, wait on his Excellency*



lency the Governour, and acquaint him the House have dispatched the Business that was before them; therefore desire a Recess as soon as his Excellency pleases.

An engross'd Bill Intituled *An Act in Addition to an Act Intituled An Bill enacted, Act against diminishing or counterfeiting Money.*

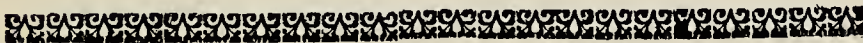
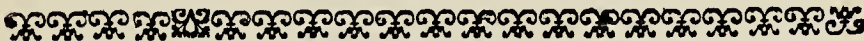
Read and Resolved, That the Bill pass to be enacted.

Ordered, That the Province Treasurer be directed to borrow the Sum of *five Hundred Pounds* Sterling on Interest, the Sum granted to Mr. Agent *Bollan*, this Session, to enable him to solicit the Affairs of this Province at the Court of *Great Britain*, and transmit the same to him as soon as may be. Sent up for Concurrence.

A Message from His Excellency the Governour by Mr. Secretary, viz.

Mr. Speaker, His Excellency directs that this Great and General Court or Assembly be Adjourned to Wednesday the twenty-seventh Day of *March* next at ten o'Clock in the Forenoon.

And then the Secretary declared the said Court to be Adjourned to that Time accordingly.





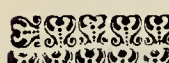


# VOTES

Of the House of Representatives.



Mercurii 27. Die Martii, A. D. 1754.

 Petition of *Thomas Hancock*, Esq; of *Boston*, praying that the Commissioners appointed by the Judge of Probates for the County of *Suffolk*, to examine the Claims of the Creditors to the Estate of *Henry Johnson*, late of *Boston* aforesaid, deceased, represented Insolvent, may be allowed to consider and allow the Petitioner's Account against said Estate, the Time appointed therefor being elapsed notwithstanding, for the Reasons mentioned.

Petition of  
*Thomas Har-*  
*cock*, Esq;

Read and committed to Mr. *Welles*, Col. *White*, and Capt. *Joseph Williams*, to consider and report thereon.

*Samuel Watts*, Esq; brought down a Bill Intituled *An Act for establishing and confirming divers Writs and Processes issued out of the Office of the Clerk of the Inferiour Court for the County of Essex, since the 24th of January last, so far as relates to the Teste which such Writs and Processes bear.* In Council March 27th 1754. Read a first and second Time and pass'd to be engross'd. Sent down for Concurrence.

Bill brought  
down.

Read a first second and third Time and concur'd.

The Petition of *Ephraim Sherburn* of *Kittery*, praying he may be licensed to keep a publick House of Entertainment, for the Reasons mentioned.

Petition of  
*Ephraim Sher-*  
*burn*.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *York*, be allowed at their next Term, if they see fit, to grant Licence to the Petitioner, to keep a House of publick Entertainment in *Kittery*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Petition of *Nathanael Houghton*, and others, Inhabitants of *Milton*, representing that Part of their Estates lie in *Braintrce*, and Part in *Milton*, praying that the whole of their Estates may be set off to the Town of *Milton*, for the Reasons mentioned.

Petition of  
*Nath. Hough-*  
*ton*.

M m m

Read



Read and Ordered, That the Petitioners serve the Clerk of the Town of *Braintree* with a Copy of the Petition, that they shew Cause, if any they have, on the tenth Day of *April* next, if the Court be then Sitting, if not, on the second Wednesday of the next Sitting of the Court, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Petition of  
*Mary Clark.*

A Petition of *Mary Clark*, Administratrix on the Estate of *Thomas Clark*, late of *Tewkesbury*, deceased, praying she may be enabled and impowred to convey certain Lands in said *Tewkesbury*, which said *Thomas* died seized of, unto one *Samuel Farmer* of said *Tewkesbury*, for the Reasons mentioned.

Read and committed to Col. *White*, Mr. *James Bowdoin*, and Capt. *Joseph Williams*, to consider and report thereon.

Petition of  
*Peleg Barker.*

A Petition of *Peleg Barker* of *Pembroke*, Innholder, representing he is about to remove from the House where he was licensed, praying his Licence may be renewed, in the House to which he removes in said Town.

Read and committed to Major *Stockbridge*, to draw a proper Vote thereon.

Petition of  
Mr. *John Hunt*  
&c.

A Petition of Mr. *John Hunt*, and *John Brown*, a Committee of the Town of *Watertown*, praying that certain Persons and their Estates lying in *Newton*, may be annexed to the Town of *Watertown*, for the Reasons mentioned.

Read and Ordered, That the Petition lie on the Table.

Petition of  
*Wm. King*  
bro't down.

*Isaac Royall*, Esq; brought down the Petition of *William King* of *Salem*, with a Vote of Council thereon. Pass'd in Council, viz. In Council *March* 27th 1754. Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the General Sessions of the Peace for the County of *Essex* at their present Session, (if they see fit) be and hereby are impowred to grant the Petitioner a Licence to retail strong Liquors, for the ensuing Part of the Year, provided he first obtain a Recommendation from the Select-Men of the Town of *Salem* for that Purpose, the Time for granting Licences being elapsed notwithstanding.

Sent down for Concurrence.

Read and concur'd.

Bill enacted.

An engross'd Bill Intituled *An Act for establishing and confirming divers Writs and Proceses issued out of the Office of the Clerk of the Inferiour Court of Common Pleas for the County of Essex since the 24th of January last, so far as relates to the Teste which such Writs and Proceses bear.*

Read and Resolved, That the Bill pass'd to be enacted.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Jobis 28. Die Martii, A. D. 1754.**

Petition of  
the Select-  
Men of *Berk-*  
*ley.*

A Petition of the Select-Men of the Town of *Berkley*, praying that some suitable Person may be appointed to warn their annual *March* Meeting, for the Reasons mentioned.

Read and Ordered, That Col. *White* draw a proper Vote impowring some Person for that Purpose.

A Petition of *John Harman* of *York*, praying that the Commissary-General may be impowred to allow him the Sum of *four Pounds seven Shillings*, a Ballance due from the Petitioner to the Commissary-General, for the Reasons mentioned. Petition of  
*John Harman*.

Read and committed to Mr. *Welles*, Col. *White*, and Mr. *Fletcher*, to consider and report thereon.

The Committee appointed on the Petition of *Thomas Hancock*, Esq; as entered Yesterday, reported. Report on  
the Petition of  
*Thomas Hancock*, Esq;

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Judge of Probate for the County of *Suffolk*, be and hereby is authorized and impowred to examine the Claim of the said *Thomas Hancock*, Esq; to the Estate of *Henry Johnson*, deceased, and to allow the same, or such Part of it as the said Judge shall think just and reasonable; and to order the Payment of his the said *Thomas Hancock*'s proportionable Part out of the whole of the Deceased's Estate, as proportioned to the other Creditors, and that the Administratrix pay the same out of the Debts received by her since the last proportioning of the said Deceased's Estate.

Sent up for Concurrence.

A Petition of *Archelaus Fuller* of *Middleton* in the County of *Essex*, praying he may be licensed to keep a House of publick Entertainment, for the Reasons mentioned. Petition of  
*Archelaus Fuller*.

Read and Ordered, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Essex*, be impowred at their present Sessions, (if they see fit) to grant Licence to the Petitioner to keep a House of publick Entertainment in the Town of *Middleton*, he first obtaining the Approbation of the Select-Men of said Town for that Purpose, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

The Committee appointed on the Petition of *Mary Clarke*, as entered Yesterday. Report on Pe-  
tition of *Mary  
Clarke*.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the said *Mary*, in the Capacity of Administratrix, be and hereby is authorized and impowred to make and execute a good and sufficient Deed of Release to *Samuel Farmer* of *Tewkesbury*, of the several Tracts or Pieces of Land in said *Tewkesbury*, which the said *Samuel* formerly conveyed to *Thomas Clarke*, (to whose Estate the said *Mary* is Administratrix) as a Security to him the said *Thomas*, for his being bound with him the said *Samuel Farmer* to *Zechariah Hardy* and *Reuben Hardy*, which Securities the said *Samuel* has since paid and discharged, and that the said Deed so executed by the said *Mary* in her said Capacity, shall be good and valid to all Intents and Purposes, as tho' executed by the said *Thomas*.

Sent up for Concurrence.

*David Stockbridge*, Esq; according to Order, reported on the Petition of *Peleg Barker*. Report on  
Petition of  
*Peleg Barker*.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Justices of the Court of General Sessions of the Peace to be holden at *Plymouth* for the County of *Plymouth*, on the third Tuesday of *May* next, be impowred to grant the Petitioner a Licence, if they see Cause, to keep a publick Tavern in the Dwelling

ing

ing House set off to the Petitioner, in the Division of the Estate of his Father *Isaac Barker*, standing about thirty Rods from the House the Petitioner now dwells in, he having already obtained an Approbation from the Select-Men of *Pembroke*, for that Purpose, the Time by Law for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

Petition of  
*Jedidiab Thomas*.

A Petition of *Jedidiab Thomas* of *Middleborough*, praying that a new Execution may issue out of the Clerk's Office of the Superiour Court in his Favour against *Jonathan Cary* and *Nathanael Hooper*, for the Reasons mentioned.

Read and committed to Col. *White*, Col. *Buckminster*, and Capt. *Spur*, to consider and report thereon.

Petition of  
*Job Abauton*.

A Petition of *Job Abauton* of *Middleborough*, praying that this Court would make void a certain Deed signed by him (while drunk) unto *Stephen David*, an Indian.

Read and committed to Mr. *Nathanael Russell*, Capt. *Richmond*, and Col. *Richards*, to consider and report thereon.

Report on Mr.  
Treasurer's  
Gray's Ac-  
compts.

*Benjamin Lincoln*, Esq; brought down a Report of a Committee of both Houses,

Signed *John Osborne*, per Order.

In Council March 28th 1754. Read and sent down.

*Viz.* Receiv'd of Mr. Treasurer Gray, Five Hundred and sixty five Government Securities redeemable the 20th of January last, amounting to seven Thousand fifty eight Pounds three Shillings & seven Pence, the Interest paid thereon Four Hundred seventy four Pounds two Shillings & four Pence half Penny; making in the whole Seven Thousand five Hundred thirty two Pounds five Shillings & eleven Pence half Penny: Also Government Securities redeemable the 31st of December 1751, amounting to One Hundred sixty nine Pounds twelve Shillings and four Pence, the Interest and Premium Nineteen Pounds ten Shillings, amounting in the whole to One Hundred eighty nine Pounds two Shillings & four Pence: Also two Notes in Favour of *Alexander McKenzie*, payable the 10th of June 1752, for ten Pounds each, the Interest paid thereon two Pounds eleven Shillings & four Pence, amounting in the whole to twenty two Pounds eleven Shillings & four Pence; also thirty seven Benefit Tickets in the late Lottery, amounting to eighty seven Pounds twelve Shillings, the Interest paid thereon six Pounds five Shillings & two Pence, making in the whole Ninety three Pounds seventeen Shillings and two Pence; also ten Hundred seventy nine Pounds eighteen Shillings & nine Pence, in old Tenor Bills, One Hundred and forty five Pounds five Shillings and eleven Pence, in middle Tenor Thirty Hundred and seventy Pounds fifteen Shillings and ten Pence in last Emission Bills; all which Bills reduced to Lawful Money is Eighteen Hundred fifty nine Pounds four Shillings & nine Pence; which we have seen burnt and consumed to Ashes.

Read and accepted, and Ordered, That the said Mr. Treasurer Gray, be and hereby is discharged of the several Sums above-mentioned.

Sent up for Concurrence.

Message from  
the Governor.

A Message from His Excellency the Governour, by Mr. Secretary *Willard*, viz.

Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber.

Mr.



Mr. Speaker and the House went up accordingly, and His Excellency was pleased to make a SPEECH to both Houses ; of which Mr. Speaker obtained a Copy, and then with the House returned to their own Chamber.

*Ordered*, That the Consideration of His Excellency's SPEECH be referred 'till three o'Clock Afternoon.

### *Post Meridiem.*

His Excellency's SPEECH, according to the Order of the Day, was read : And after a large Debate had thereon ;

*Ordered*, That Mr. Speaker, Mr. *Welles*, Col. *White*, Mr. *Fletcher*, and Mr. *Tasler*, with such as the honourable Board shall join, be a Committee to take under Consideration His Excellency's SPEECH, and Papers accompanying the same, and report as soon as may be, what is proper for the Court to do thereon.

*Ordered*, That Mr. Speaker, Mr. *Welles*, and Col. *Richards*, be a Committee to collect the several Journals of the House of Representatives that have been printed from Time to Time, and cause two compleat Setts to be bound up, one for the Use of the honourable Council, and the other for the House.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

**Veneris 28. Die Martii, A. D. 1754.**

[29]

THE Committee appointed on the Petition of the Select-Men of the Town of *Berkley*, reported.

Read and accepted, and *Ordered*, That *Gershom Crane*, Esq; and Mr. *George Caswell*, two of the Select-Men of the Town of *Berkley*, for the Year 1753, be and hereby are directed and impowred to issue their Warrant directed to Mr. *John Crane* of said *Berkley*, to warn a Town Meeting (as soon as may be) for the Choice of Town-Officers for the Year ensuing ; and the said *John Crane* is hereby authorized and impowred to warn the said Meeting accordingly ; as also to notify the respective Town Officers that shall be chosen at said Meeting, to appear and take their Oaths respectively before such Justice as he shall be ordered and directed by Warrant from the Select-Men or Town-Clerk ; and the said Town Officers that may be chosen at said Meeting, and notified as aforesaid, shall be as much obliged to all Intents and Purposes to serve in the respective Offices to which they shall be chosen, as tho' they had been chosen in the Month of *March* Currant.

Sent up for Concurrence.

A Petition of *Mary Lakeman* of *Ipswich*, representing that her late Husband *Sylvanus Lakeman*, Jun, deceased, lost his Gun in his Return from *Cape-Breton*, praying she may be allowed for the same, for the Reasons mentioned.

Read. and committed to Capt. *Coggswell*, Col. *Bradford*, and Mr. *Greenleaf*, to consider and report thereon.

A Petition of *Henry Prentice* and *Elizabeth Prentice*, the said *Elizabeth* as Guardian to her Children, viz. the Children of her late Husband *Samuel Healey*, late of *Boston*, deceased ; representing that the real Estate of the said *Samuel*, lying in *Boston* is under such Cir-

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cumstances

cumstances, that it is very unprofitable, praying that the same may be sold, for the Reasons mentioned.

[Brigham]

Read and committed to Mr. *Fletcher*, Capt. *Bridgham*, and Capt. *Prebble*, to consider and report thereon.

Petition of Mr. *Jonathan Foster*. A Petition of Mr. *Jonathan Foster*, Agent for the first Parish in *Boxford*, representing that there are Objections as to the Legality of the Rates committed to *Nathanael Burnham* and *Jacob Cummings*, Collectors of said Parish, praying that the said *Burnham* and *Cummings*, may be impowred to collect the same, for the Reasons mentioned.

Read and committed to Capt. *Frie*, Col. *White*, and Mr. *Elijah Porter*, to consider and report thereon.

Petition of *Ezekiel Cummings*. A Petition of *Ezekiel Cushing* and *Mary* his Wife, praying this Court would ratify a certain Covenant or Agreement made by the Petitioners and the other Heirs of *Dominicus Jordan*, late of *Falmouth*, deceased, respecting the Settlement of said *Dominicus's* Estate, &c. for the Reasons mentioned.

Read and Ordered, That the Petitioners serve the adverse Party *Dominicus Jordan*, *Nathanael Jordan*, *Clement Jordan*, *Robert Mitchel*, and *Meriam* his Wife, *Joseph Prout*, and *Hannab* his Wife, with a Copy of this Petition, that they shew Cause, (if any they have) on the second Friday of the next *May* Session, why the Prayer thereof should not be granted. Sent up for Concurrence.

Petition of *Rich. Hunt*. A Petition of *Richard Hunt*, Guardian to *Elizabeth Totbill*, a Minor, one of the Children of *Edward Totbill*, deceased, and Grand child of *George Shore*, late of *Boston*, deceased, representing that the said *George Shore* by his last Will bequeathed his real Estate to the said Minor and other Grand-Children, to be divided among them, Part of which Estate lies in the County of *Suffolk* and Part in the County of *Worcester*, praying that the Judge of Probates either in the County of *Suffolk* or *Worcester*, may be impowred to order a Division of the whole of said real Estate, for the Reasons mentioned.

Read and committed to Mr. *William Bowdoin*, Col. *White*, and Mr. *Welles*, to consider and report thereon.

Petition of Inhabitants of *Concord*. *John Otis*, Esq; brought down the Petitions of the Northerly Inhabitants in *Concord*, with a Vote of Council, viz. In Council March 28th 1754. Read again, and Ordered, That the Committee appointed the 12th of *December* last, hear the Parties, and report what they judge proper for this Court to do thereon, as soon as may be.

Sent down for Concurrence.

Read and concur'd, and Ordered, That Col. *White* be of the Committee in the Room of Col. *Lawrence*, who is absent.

Sent up for Concurrence.

Petition of *Chambers Russell*, Esq; &c. A Petition of *Chambers Russell*, Esq; and others, a Committee of the Precinct set off from *Concord*, *Lexington*, and *Weston*, praying that the said Precinct, with the Addition of some other Persons and their Estates, agreeable to the Bounds therein set forth, may be erected into a Township, for the Reasons mentioned.

Read and Ordered, That the Petitioners serve the several Town-Clerks of *Concord*, *Lexington*, and *Weston*, with a Copy of this Petition, that they shew Cause, if any they have, on the second Wednesday of the next *May* Session, why the Prayer thereof should not be granted.

Sent up for Concurrence.

*Josiah*

*Josiah Willard*, Esq; brought down the Petition of *John Pearson*. Petition of  
 Pass'd in Council, viz. In Council March 29th 1754. Ordered, *John Pearson*  
 That *James Minot*, and *John Otis*, Esqrs; with such as the honourable bro't down.  
 House shall join, be a Committee to take this Petition and Answer,  
 under Consideration, and report what they judge proper for this  
 Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Capt. *Livermore*, Col. *Richards*, and Capt.  
*Frie*, are joined in the Affair.

### *Post Meridiem.*

*Josiah Willard*, Esq; brought down the Petition of *Samuel Green*, Petition of  
 and others, of the South Parish in *Malden*. Pass'd in Council, viz. In *Samuel Green*  
 Council March 29th 1754. Read again, together with the Ans- bro't down.  
 wer of the South Parish in the Town of *Malden*, and Ordered, That  
*John Greenleaf*, and *John Quincy*, Esqrs; with such as the honourable  
 House shall join, be a Committee to hear the Parties, and report  
 what they judge proper for this Court to do thereon.

Read and nonconcur'd, and Ordered, That the Petition be dismiss'd.

Mr. Secretary *Willard* brought down a Letter directed to His Ex- Letter from  
 cellency the Governour, from Brigadier *Dwight*, and Mr. *Timothy* Brig. *Dwight*.  
*Woodbridge*, dated *Stockbridge*, March 25th 1754. Representing the  
 mutinous State of sundry Indians at *Stockbridge*, occasioned as is ap-  
 prehended, by the Death of *Wampaumcorse*, an Indian which was  
 killed at *Stockbridge* the last Year.

Read and Ordered, That the said Letter, with the Paper accom-  
 panying the same, be committed to the Committee on His Excellen-  
 cy's Speech, to consider and report thereon.

Sent up for Concurrence.

On the Petition of *Robert Auchmuty*, as entred the sixth of Septem- Petition of  
 ber last, and referred, Ordered, That the Petition be revived, and *Robert Auch-*  
 committed to Col. *White*, Capt. *Williams*, and Capt. *Livermore*, to muty, revived.  
 consider and report thereon.

Mr. Secretary brought down a Letter directed to His Excellency Letter from  
 the Governour, from Brigadier *Dwight*, dated *Stockbridge* March 25th Brig. *Dwight*.  
 1754. setting forth the State of the Boarding School at *Stockbridge*, &c.

Read and Ordered, That the said Letter lie on the Table.

Mr. Secretary also brought down sundry Letters from Major *Lydias*,  
 Mr. *Vanderhayden*, and *Ebenezer Pain*, representing the unhappy Cir-  
 cumstances of *Joseph Pain*, now in His Majesty's Goal in *Albany*, at  
 the Suit of *Robert Livingston*, Jun. Esq; who is there detained most  
 unreasonably, notwithstanding Bail has been offered for him.

Read and committed to Capt. *Livermore*, Mr. *Welles*, and Col.  
*Richards*, to consider and report thereon.

*Josiah Willard*, Esq; brought down a Petition of a Committee of  
 the Town of *Mendon*; with a Vote of Council of this Day, viz.

Whereas by the Order of this Court the Town of *Uxbridge* were di-  
 rected to make answer to this Petition on the second Thursday of the pre-  
 sent Session of this Court; and whereas the publick Fast has since been  
 appointed to be kept on that Day: Therefore,

Order relating  
 to the Petition  
 of *Uxbridge*.

Ordered,



*Ordered*, That the said Town of *Uxbridge* give in their Answer thereto on Wednesday the tenth Day of *April* next, to which Time the Consideration of this Petition is referred.

Sent down for Concurrence.

Read and concur'd.

Petition of *Jonath. Blood* bro't down. *Josiah Willard*, Esq; brought down the Petition of *Jonathan Blood*, and others. Pass'd in Council, viz. In Council *March* 29th 1754. Read and concur'd, and *Stephen Sewall*, Esq; is joined to the said Committee, in the Room of *Samuel Watts*, Esq;

Sent down for Concurrence.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Sabbati 30. Die Martii, A. D. 1754.

Petition of *Jonath. Keyes*. A Petition of *Jonathan Keyes* of *Sbrewsbury*, Guardian to *Sarah Witherby*, late of a Place called *Road-Town*, praying he may be allowed to sell Part of a Right of Land in said *Road-Town*, belonging to said *Sarah*, in order to bring forward a Settlement on said Right, or that the Court would allow said Right to lie unsettled until said *Sarah* comes of Age, for the Reasons mentioned.

Read and committed to Mr. *Phineas Haywood*, Mr. *Witt*, and Capt. *Reed*, to consider and report thereon.

Petition of *Nelson Finney*. A Petition of *Nelson Finney*, as entred the last Session, and referred. Read again, and *Ordered*, That the said Petition be recommitted to Col. *White*, Col. *Richards*, and Capt. *Frie*, to consider and report thereon.

Petition of *James Wright*. A Petition of *James Wright* and *Samuel Robinson*, in Behalf of the Resident and Non-resident Proprietors of *Quabin*, praying that the said *Quabin* may be erected into a Town or District, with Town Privileges, for the Reasons mentioned.

Read and committed to Mr. *Lyman*, Capt. *Ashley*, and Col. *Bradford*, to bring in a Bill for that Purpose.

Committee on Indian Lands. On a Motion made and seconded, *Ordered*, That Col. *White*, Mr. *Witt*, and Capt. *Tasler*, with such as the honourable Board shall join, be a Committee to consider in what Manner the Indian Lands in the several Plantations may be improved to the best Advantage, and to report as soon as may be.

Sent up for Concurrence.

Petition of *Stephen David*. A Petition of *Stephen David*, Indian-man of *Tetticut*, praying he may be impowred to confirm certain Lands to *Elkanah Leonard*, Esq; his Heirs and Assigns, for the Reasons mentioned.

Read and committed to Mr. *Nathanael Russell*, Capt. *Richmond*, and Col. *Bradford*, to consider and report thereon.

Report on Brig. *Dwight's* Letter. The Committee on His Excellency's Speech, reported on the Advice lately had from Brigadier *Dwight* and Mr. *Woodbridge*, at *Stockbridge*. Which Report was accepted, and thereupon

*Voted*, That the Sum of twenty Pounds be granted and allowed to be paid into the Hands of *Edmund Trowbridge*, Esq; and he desired to repair

repair to *Stockbridge* as soon as may be, and distribute the same to the near Relatives of *Wampancorse*, the Indian that was kill'd there the last Year, and that he endeavour to satisfy and quiet the Indians at *Stockbridge* respecting the Death of said *Wampancorse*, and the Trial had thereupon, the Sum above mentioned to be inclusive of the Sum of *six Pounds* granted the last Session for that Purpose.

Sent up for Concurrence.

A Petition of *Abraham Whitney*, Jun. in Behalf of the Town of *Stow*, praying that *John Whitman* and *Abraham Whitney*, chosen Collectors in said Town in *December* last, may be confirmed in their said Offices, for the Reasons mentioned.

Petition of  
*Abrah Whitney*, Jun.

Read and committed to Mr. *Nathanael Russell*, Mr. *Gibbs* of *Newton*, and Capt. *Richmond*, to consider and report thereon.

The Committee appointed on the Petition of *Henry* and *Elizabeth Prentice*, as entered Yesterday, reported.

Report on  
Petition of  
*Henry & Eliz. Prentice*.

Read and accepted, and Ordered, That the Petitioners be impowred to dispose of the House and Land mentioned in the Petition, and make and execute a good Deed or Deeds thereof, they giving sufficient Caution to the Judge of Probate for the County of *Suffolk*, that the Moneys arising therefrom be put on Interest, and both Principal and Interest duly apply'd according to the Will of the Deceased.

Sent up for Concurrence.

The Committee appointed on the Petition of *Richard Hunt*, as entered Yesterday, reported.

Report on  
Petition of  
*Richard Hunt*.

Read and accepted, and thereupon Voted, That the Judge of Probate for the County of *Suffolk*, be and hereby is authorized and impowred to order a Division and Distribution of the whole of the Lands mentioned in the Petition, as well those lying in the County of *Worcester*, as those that lie in the County of *Suffolk*.

Sent up for Concurrence.

A Petition of *Benjamin Pierce* of *Newbury*, Guardian to *Nathanael Pettingell*, a Minor, praying he may have Liberty to make Sale of the said Minor's real Estate, for the Reasons mentioned.

Petition of  
*Benja. Pierce*.

Read and committed to *Joseph Gerrish*, Esq; Mr. *James Bowdoin*, and Capt. *Newball*, to consider and report thereon.

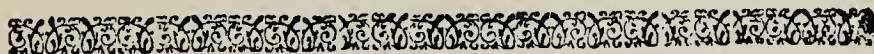
A Petition of *Stephen David*, Indian Man of *Tetiticut*, praying he may make Sale of about forty Acres of his Lands, in order to discharge certain Debts he has contracted.

Petition of  
*Stephen David*.

Read and committed to Col. *White*, Capt. *Reed*, and Mr. *Fletcher*, to consider and report thereon.

Ordered, That the Bill Intituled *An Act for the dividing the County of York, and for erecting and making the Easterly Part of the same into a separte and distinct County, and for establishing of Courts of Justice within the same*, be further referred to next May Session for Consideration.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.







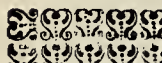
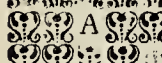


# VOTES

Of the House of Representatives.



Lunæ 1. Die Aprilis, A. D. 1754.

 Petition of *Joseph Johnson* of *Boston*, Guardian to *Thomas Johnson*, praying he may have Liberty to sell one quarter Part of a House in *Boston* belonging to said Minor, for the Reasons mentioned. Petition of *Jos. Johnson.*  
 Read and committed to Mr. *Gibbs* of *Newton*, Col. *Bradford*, and Mr. *Bradbury*, to consider and report thereon.

A Petition of *Peter Tufts* of *Charlestown*, praying he with his Lands may be set off to the Town of *Medford*, for the Reasons mentioned. Petition of *Peter Tufts.*

Read and Ordered, That the Petition be committed to the Committee of both Houses, who have under Consideration the Petitions of *Cambridge* and *Medford*, to consider and report thereon.

Sent up for Concurrence.

*Joseph Pyncheon*, Esq; brought down the Petition of *John Walker*, praying he might be paid his Wages for Part of the Time he was at *Cape Breton*. In Council April 1st 1754. Read and sent down. Petition of *John Walker* bro't down.

Read and Ordered, That the Petition be committed to Capt. *Wilder*, Mr. *Haywood*, and Capt. *Tyler*, to consider and report thereon.

A Petition of *Sarah Hazzen*, Widow and Relict of *Richard Hazzen*, Esq; deceased, representing that the General Court at their Session in May 1753, was pleased to grant the Loan of *four Hundred and sixty eight Pounds* to said *Richard Hazzen*, for five Years, free of Interest, praying that in as much as the said Money was never received out of the Province Treasury, that she may have the Interest of the said Sum granted to her for said Term, for the Reasons mentioned. Petition of *Sarah Hazzen.*

Read and committed to Capt. *Joseph Williams*, Col. *Winslow*, and Capt. *Frie*, to consider and report thereon.

A Petition of *John Shepard*, Esq; praying this Court would make a more thoro' Examination into the State and Circumstances of his Case, relative to his being Guardian to the *Punkapaug* Indians, for the Reasons mentioned. Petition of *John Shepard* Esq;

Read and committed to the Committee of both Houses appointed the last Session on the Affair of the Guardians of the *Punkapaug* Indians.  
Sent up for Concurrence.

Petition of  
*Thomas Berry*  
bro't down.

*John Wheelwright*, Esq; brought down the Petition of *Thomas Berry*, Esq; and others, Feoffees of the Grammar School in *Ipswich*. Pass'd in Council, viz. In Council *April* 1st 1754. Read again, together with the several Answers thereto, and Ordered, That *Benjamin Lynde* and *John Chandler*, Esqrs; with such as the honourable House shall join, be a Committee to take the same under Consideration, and make Report to this Court what they judge proper to be done thereon as soon as may be. Sent down for Concurrence.

Read and concur'd, and Mr. *Lyman*, Capt. *Prebble*, and Col. *Bradford*, are joined in the Affair.

Report on  
Petition of  
*Stephen David*.

The Committee appointed on the Petition of *Stephen David*, as entered 30th of *March* last, reported.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner, with the Advice and Consent of the Guardians of the *Tetticut* Indians, be and hereby is authorized and impowred to make Sale of the Piece of Land in said Petition mentioned, for the most the same will fetch, and to make and execute a good and sufficient Deed or Deeds of the same to the Purchaser or Purchasers their Heirs and Assigns; and the said Guardians are hereby directed to see that Justice be done the Petitioner in the Sale thereof, and also take Care that the Money arising by said Sale be duly applied for the Payment of the Petitioner's just Debts.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

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**Martis 2. Die Aprilis, A. D. 1754.**

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Petition of  
*Samuel Miller*,  
Esq;

A Petition of *Samuel Miller*, Esq; of *Milton*, praying that this Court would make a more thoro' Examination into the State and Circumstances of his Case, relative to his being Guardian to the *Punkapaug* Indians, with a Petition of sundry of said Indians, praying the said *Miller* may be continued one of their Guardians, accompanying the same; which were read. And thereupon,

Ordered, That the said Petitions be committed to the Committee of both Houses appointed last Session on the Affair of the Guardians of the *Punkapaug* Indians. Sent up for Concurrence.

Petition of  
*Samuel Clark*.

A Petition of *Samuel Clark* of *Plymouth*, praying that the Judgment of the Court of Sessions in the County of *Plymouth* in Favour of *Josiah Fairfield*, Deputy Farmer, against the Petitioner, may be set aside, and he allowed a new Trial, and by a Jury. Read.

And the Question was put, *Whether the adverse Party be notified?*

It pass'd in the Negative. And

Ordered, That the Petition be dismiss'd.

Petition of  
*Pelatiab Man*,

A Petition of *Pelatiab Man* of *Wrentham*, praying that the Justices of the Court of General Sessions in the County of *Suffolk*, be authorized to grant him a Licence to keep a House of publick Entertainment in said Town, for the Reasons mentioned.

Read

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, be and hereby are authorized and impowred, if they see fit, at their present Session, to grant Licence to the Petitioner to keep a House of publick Entertainment in *Wrentbam*, he first obtaining the Approbation of the Select-Men of said Town, the Time for granting of Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Bill Intituled *An Act for Incorporating the Plantation called Quabin in the County of Hampshire into a seperate District by the Name of* Bill read.

Read a first Time. And *Ordered*, That the Bill have a second Reading three o'Clock Afternoon.

A Petition of *James Ketteridge, Jun. of Tewkesbury*, praying that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex* may be impowred to grant him Licence to keep a House of publick Entertainment. *Petition of James Ketteridge, Jun.*

Read and *Ordered*, That the Prayer of the Petition be far granted that the Justices of the Court of General Sessions of the Peace for the County of *Middlesex*, be and hereby are impowred, if they think fit, to grant a Licence to the Petitioner to keep a publick House of Entertainment in said Town, he obtaining the Approbation of the Select-Men, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Message from His Excellency the Governour by Mr. Secretary, viz.

Mr. Speaker, His Excellency directs the Attendance of this honourable House in the Council Chamber. *Message from His Excellency the Gov.*

Mr. Speaker and the House went up accordingly, and His Excellency was pleased to make a SPEECH to both Houses; of which Mr. Speaker obtained a Copy, and then with the House returned to their own Chamber.

### *Post Meridiem.*

A Petition of *John Asbley, Esq;* representing that he had a Warrant drawn on the Treasury for the Sum of *eight Pounds four Shillings and four Pence*, which has never been paid, but is casually lost, praying that an Order may pass this Court that he may receive said Sum out of the publick Treasury. *Petition of John Asbley, Esq;*

Read and committed to Col. *Lawrence*, Mr. *Nichols*, and Col. *Buckminster*, to consider and report thereon.

*Ordered*, That there be a Transfer made from the Appropriation of Grants of *seven Hundred & eighty nine Pounds seven Shillings & six Pence*, to the Appropriation of no Establishment. *Transfers from several Appropriations.*

Also that there be a Transfer made from the Appropriation of Grants, to the Appropriation for the Pay of the Members of the General Court of the Sum of *six Hundred twenty eight Pounds six Shillings and eight Pence*.

And also that there be a Transfer made from the Appropriation of Grants of *fifty Pounds seven Shillings and eleven Pence* to the Appropriation for Contingencies.

Sent up for Concurrence.

*John*



*John Chandler*, Esq; brought down the Vote of this House of the 30th of March last, proposing to send *Edmund Trowbridge*, Esq; to *Stockbridge*, to distribute a Present from the Government to the Relatives of the Indian killed there the last Year. Pass'd in Council, viz. In Council April 2d 1754. Read and concur'd with the Amendment at A & B.

Sent down for Concurrence.

Read and nonconcur'd.

Vote relating to the Present to *Stockbridge* Indians. *Whereas it has been represented to this House that it will be very inconvenient to Edmund Trowbridge, Esq; to repair to Stockbridge, agreeable to the Vote of the House of the 30th of March last :*

[That]

Therefore Voted, That the Sum of twenty Pounds be granted and as soon as may be transmitted to Brigadier *Dwight*, and Mr. *Timothy Woodbridge*, at *Stockbridge*, and they desired to distribute the same to the near Relatives of *Wampumcorse*, the Indian that was kill'd there the last Year; and that they endeavour to satisfy and quiet the Indians at *Stockbridge*, respecting the Death of said *Wampumcorse*, and the Trial had thereon, the said Sum to be inclusive of the Sum of six Pounds granted the last Session for that Purpose.

Sent up for Concurrence.

Ordered, That His Excellency's SPEECH of this Day be taken under Consideration to Morrow Morning at ten o'Clock.

Bill read. A Bill Intituled *An Act for Incorporating the Plantation called Quabin in the County of Hampshire into a seperate District by the Name of*

Read a second Time, and Ordered, That the Bill be recommitted to make the proposed Amendments.

Petition of *Edward Hutchinson*, Esq; bro't down.

*John Greenleaf*, Esq; brought down the Petition of *Edward Hutchinson*, Esq; as entred the last Session and referred. Pass'd in Council, viz. In Council April 2d 1754. Voted, That *John Worthington*, Esq; be and hereby is fully impowred to apply in the strongest Terms to the General Assembly of the Colony of *Connecticut* at their Sitting at *Hartford* in May next, that Justice be done the Petitioner, in as much as that Government have received a full Equivalent for the Lands mentioned in the Petition.

Sent down for Concurrence.

Read and non-concur'd, and Ordered, That the Petition be committed to Capt. *Livermore*, Mr. *Witt*, and Mr. *Foster*, to consider and report thereon.

Report on Petition of *John Walker*.

The Committee appointed on the Petition of *John Walker*, reported, that at present the Facts mentioned in the Petition cannot be established; Therefore Ordered, That the Petition lie on the Table.

Report on Petition of *Sarah Hazzen*.

The Committee appointed on the Petition of *Sarah Hazzen*, reported. Read and accepted, and Ordered, That the Sum of one Hundred and forty Pounds eight Skillings, be granted to the Petitioner, as she is Administratrix on the Estate of her late Husband, she to be accountable to the Judge of Probate for the County of *Effex* for the same, which is in Lieu of the Loan of four Hundred and sixty eight Pounds granted in June 1753, to her said Husband *Richard Hazzen*, Esq; deceased, for the Term of five Years, free of Interest.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

*Mercurii*

## Mercurii 3. Die Aprilis, A. D. 1754.

**A** Petition of *Hannab Robins* of *Bridgewater*, Indian Woman, praying that she may have Liberty to make Sale of her Lands in *Middleboro'*, to discharge fundry Debts by her contracted in Sickness. Petition of  
*Han. Robins.*

Read and committed to Col. *Lawrence*, Col. *White*, and Mr. *Turner*, to consider and report thereon.

A Petition of *Nathanael Richardson* of *Boston*, praying that the Court of Sessions in the County of *Suffolk*, may be enabled to Licence him a Retailer in the House where he now lives. Petition of  
*Nath. Richardson.*

Read and Ordered, That the Prayer of the Petition be so far granted, that the Court of General Sessions of the Peace for the County of *Suffolk* at their present Session, be and hereby are impowred and enabled, if they see fit, to grant the Petitioner Licence to be a Retailer of strong Liquors in the House he now dwells, he first obtaining the Approbation of the Select-Men of the Town of *Boston* for that Purpose; the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

A Bill Intituled *An Act for Incorporating the Plantation called Quabin in the County of Hampshire into a seperate District by the Name of* Bill engros'd.

Read a first second and third Time, and pass'd to be engros'd.

Sent up for Concurrence.

A Petition of *John Stearns* and *David Day* both of *Attleborough*, praying that the Court of Sessions for the County of *Bristol*, may be enabled to Licence them to keep Houses of publick Entertainment, for the Reasons mentioned. Petition of  
*John Stearns*  
and *David Dey.*

Read and Ordered, That the Prayer of the Petitions be so far granted, that the Court of General Sessions of the Peace for the County of *Bristol* at their next Term, be and hereby are impowred, if they think fit, to Licence the Petitioners each of them to keep a House of publick Entertainment in the Town of *Attleborough*, they obtaining an Approbation of the Select-Men of said Town for said Purpose, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

The Committee appointed on the Petition of *Mary Lakeman*, Ad ministratrix on the Estate of *Sylvanus Lakeman*, Jun deceased, reported. Report on  
Petition of  
*Mary Lakeman*

Read and accepted, and Ordered, That the said *Mary* be allowed to take out of the Commissary-General's Store a Gun or Guns amounting to the Value of *one Pound twelve Shillings*, in full for the Loss of the Gun mentioned in the Petition. Sent up for Concurrence.

According to the Order of the Day the House entred into the Consideration of His Excellency's SPEECH of the 2d Instant. Which was read, and after a Debate had thereon, Resolve on  
Gov. Speech  
of the 2d Inst

Resolved, That Commissioners be sent on the Part of this Government to the proposed Interview with the Indians of the *Six Nations* at *Albany* in *June* next. Sent up for Concurrence.

Resolved, That the Sum of *three Hundred Pounds* be granted and paid out of the publick Treasury, in order to purchase a suitable Present to be given the Indians of the *Six Nations*, and to defray the Charges the Gentlemen that may be sent as Commissioners to the proposed Interview at *Albany* in *June* next. Grant for a  
Present &c.

Sent up for Concurrence.

Q q q

Ordered,

*Ordered*, That His Excellency's SPEECH of the 2d Instant, be committed to the Committee of both Houses appointed on His Excellency's SPEECH at the opening of this Session, to consider and report thereon as soon as may be. Sent up for Concurrence.

**Vote of Council bro't down.** *John Candler*, Esq; brought down the Vote of this House of the 2d Instant, impowring Brigadier *Dwight* and Mr. *Timothy Woodbridge*, to treat with the *Stockbridge* Indians, &c. Pass'd in Council, viz. In Council *April* 2d 1754. Read and concur'd with the Amendment at A. Sent down for Concurrence. Read and concur'd.

**Petition of Francis Brindley, &c.** A Petition of *Francis Brindley*, Esq; and others, praying they may be impowred to divide certain common Lands &c. in the Town of *Framingham*, for the Reasons mentioned.

Read and committed to Col. *Lawrence*, Col. *Partridge*, and Col. *Otis*, to consider and report thereon.

**Petition of Nath. Hasey, &c.** A Petition of *Nathanael Hasey* and *John Barker*, praying an Allowance for their Time & Expences in taking certain Persons who counterfeited the Bills of *Rhode-Island* Government in the Years 1741 & 1742.

Read and committed to Col. *Otis*, Capt. *Joseph Williams*, and Mr. *Witt*, to consider and report thereon.

**Petition of Daniel Hewes.** A Petition of *Daniel Hewes* of *Wrentham*, praying that the Justices of the Court of Sessions in the County of *Suffolk*, may be impowred to Licence him an Innholder &c. for the Reasons mentioned.

Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Justices of the Court of General Sessions of the Peace for the County of *Suffolk*, at their present Session, be and hereby are impowred, if they think fit, to Licence the Petitioner to keep a House of publick Entertainment in *Wrentham*, he obtaining the Approbation of the Select-Men of said Town for that Purpose, the Time for granting Licences being elapsed notwithstanding.

Sent up for Concurrence.

### *Post Meridiem.*

**Petition of Chambers Russell, Esq; bro't down.** *John Otis*, Esq; brought down the Petition of *Chambers Russell*, Esq; and others. Pass'd in Council, viz. In Council *April* 3d 1754. Read and concur'd with the Amendment, viz. delete—the second Wednesday of the next May Session—and add—Friday the 12th Instant. Sent down for Concurrence. Read and concur'd.

Then the House adjourn'd 'till Friday next nine o'Clock in the Forenoon.

## Veneris 5. Die Aprilis, A. D. 1754.

**Petition of Thomas Bell.** **A** Petition of *Thomas Bell* of *Roxbury*, praying that the Court of Sessions in the County of *Suffolk*, may be impowred to grant him a Licence as an Innholder &c. for the Reasons mentioned. Read and *Ordered*, That the Prayer of the Petition be so far granted, that the Court of General Sessions of the Peace for the County of *Suffolk* at their present Session, be impowred, if they think fit, to grant a Licence to the Petitioner to keep a House of publick Entertainment in said Town, he obtaining the Approbation of the Select-Men of said Town for that Purpose, the Time for granting of Licences being elapsed notwithstanding. Sent up for Concurrence.

The



The Committee appointed on the Petition of Mr. *Jonathan Foster*, Agent for the first Parish in *Boxford*, reported.

Read and accepted, and *Ordered*, That the Warrants and Rate Lifts made by the Assessors of the first Parish in *Boxford*, for the Year 1752, and committed to *Nathanael Burnham* and *Jacob Cumming*, Collectors of said Parish for that Year, which are defective, by Reason they are improperly dated, and were not compleated 'till the Time was elapsed in which they should have been, be and hereby are deemed valid and good to Answer the Intents and Purposes of them, as tho' there had been no Defect; and that the said Collectors be enjoined to collect the Money yet due on said Lifts, and pay the same to the Treasurer of said Parish, on or before the last Day of *May* next, the aforesaid Defects notwithstanding. Sent up for Concurrence.

Report on  
Petition of  
Mr. *Jonathan  
Foster*.

The Committte appointed on the Petition of *Abraham Whitney*, Agent for the Town of *Stow*, reported.

Read and accepted, and *Resolved*, That the Prayer of the Petition be so far granted, as that *John Whitman & Abraham Whitney*, the Collectors therein mentioned, and each of them, be and hereby are fully impowred and authorized, to compleat and make a full Collection of the Sum and Sums in each of said Lifts and Assessments in this Petition mentioned and committed to them by the Assessors as therein set forth, agreeable to their respective Warrants from the said Assessors, and that they pay the same to the Treasurer of the said Town of *Stow*, according to the Directions in the same Warrant, they observing the Directions of the Province Law as other Collectors are obliged to do for collecting any Assessments committed to them to collect; and that they be and hereby are invested with as full Power and Authority to levy and collect the same Assessments in each of said Lifts mentioned, as any other Collector or Collectors of any Town within this Province are invested withal, their not being chosen into said Office in the Month of *March* notwithstanding.

Report on  
Petition of  
*Jonath. Whitney*.

Sent up for Concurrence.

*John Cushing*, Esq; brought down the Petition of the Agents of *Stoneham*. Pass'd in Council, viz. In Council *April 3d 1754*. Read again, together with the Answer of the Town of *Charlestown*, and *Ordered*, That this Petition be committed to the same Committee to whom was referred the Petitions of the Towns of *Cambridge* and *Medford*.

Petition of  
*Stoneham*  
bro't down.

Sent down for Concurrence.

Read and concur'd.

*John Cushing*, Esq; brought down the Petition of *Thomas Greene*, sole Executor of the Testament of *Caleb Lyman*, late of *Boston*, deceased. Pass'd in Council, viz. In Council *April 2d 1754*. Read and *Voted*, That the Prayer of the Petition be so far granted, as that the Petitioner in his said Capacity be and hereby is impowred to exhibit his said Claim to the Judge of Probate &c. for the County of *Suffolk*, who is impowred to examine the same, allow so much thereof as shall appear due, and to direct the surviving Executrix of the said *Thomas Baxter* in her Capacity to pay the same to the Petitioner in the next Dividend, in such Proportion as the other Creditors already have or shall then receive.

Petition of  
*Tho. Greene*  
bro't down.

Sent down for Concurrence.

Read and concur'd.

*John*

*John Cushing*, Esq; brought down the Petition of *Sarah Hazzen*.  
 Petition of *Sarah Hazzen* Pafs'd in Council, viz. In Council April 3d 1754. Read and  
 bro't down. concur'd with the Amendment at A. Sent down for Concurrence.

Read and non-concur'd, and the House adhere to their own Vote,  
 with an Amendment, viz. dele—*One Hundred and forty*— and insert  
 —*One Hundred and twenty four*. Sent up for Concurrence.

*Sylvanus Bourn*, Esq; brought down the Petition of *Hannab Simonds*,  
 Petition of *Nath. Simonds* Administra'trix on the Estate of *Nathanael Reed*, late of *Woburn*, de-  
 bro't down. ceased, and others. Pafs'd in Council, viz In Council April 3d 1754.  
 Read and Ordered, That the Prayer of the Petition be granted, and  
 that the Judge of Probate for the County of *Middlesex*, be impowred  
 to take new Security for fulfilling the last Will and Testament of the  
 Deceased therein named, and (upon such Security given to his Accep-  
 tance to deliver up or cancel the Bond formerly given by *Nathanael*  
*Reed* deceased, the Executor in said Will named) for the faithful dis-  
 charge of his said Trust. Sent down for Concurrence.

Read and concur'd.

A Petition of the Inhabitants of *Nichawoag*, praying they may be  
 Petition of Incorporated with the Priviledges of a Town, for the Reasons men-  
*Nichawoag*. tioned.

Read and committed to Capt. *Chandler*, Capt. *Prebble*, and Capt.  
*Ashley*, to consider and report thereon.

A Petition of *Benjamin Pollard*, Esq; and others, belonging to the  
 Petition of Cadet Company in the Town of *Boston*, praying the said Company  
*Benj. Pollard*, Esq; may be Incorporated into a Body Politick, for the Reasons mentioned.

Read and Ordered, That the Petitioners be allowed to bring in a  
 Bill for that Purpose. Sent up for Concurrence.

A Petition of *James Pierce* of *Salem*, who was a Soldier in the  
 Petition of *Thomas Pierce*. *Cape-Breton* Expedition, praying for the Relief of this Government,  
 for the Reasons mentioned.

Read and committed to Mr. *Coggswell*, Capt. *Prebble*, and Capt.  
*Joseph Williams*, to consider and report thereon.

The Committee appointed on the Petition of *Hannab Robins*, re-  
 Report on Petition of ported.  
*Han. Robins*.

Read and accepted, and Ordered, That the Prayer of the Petition  
 be so far granted, as that the said *Hannab* be and hereby is authorized  
 and impowred (with the Consent of the Guardians of the *Titticut* In-  
 dians) to make Sale of the Piece of Land mentioned in the Petition,  
 for the most the same will fetch, and to make and execute a good and  
 sufficient Deed or Deeds of the same to the Purchaser or Purchasers  
 their Heirs or Assigns; and that the said Guardians take Care that the  
 Money arising by said Sale be duly apply'd for the Payment of the just  
 Debts of the Petitioner; and if there be any Overplus the said Guardians  
 to take Care that it be secured on Interest, and distributed to her as her  
 Necessity calls for it. Sent up for Concurrence.

A Petition of *Jonathan Gage* of *Newbury*, a Soldier in the *Canada*  
 Petition of Service at *Menis*, praying an Allowance for his Services and Sufferings.  
*Jonata. Gage*. Read and committed to Capt. *Prebble*, Mr. *Greenleaf*, and Mr.  
*Hunt*, to consider and report thereon.

The Committee appointed on the Petition of *Stephen David*, Indian Man, reported.

Report on  
Petition of  
*Stephen David*.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that the said *Stephen* (with the Consent of the Guardians of the *Titticut* Indians) be impowred to make and execute a good and sufficient Deed of Confirmation of the Lands contained in the Bounds of the Land contained in the Deed mentioned in said Petition, to the said *Elkanah Leonard*, Esq; his Heirs and Assigns, they paying for the Lands mentioned in said Deed, and not intended to have been conveyed in the same Proportion as was paid for the other Land mentioned in said Deed. Sent up for Concurrence.

### *Post Meridiem.*

A Message from His Excellency the Governour by Mr. Secretary, to both Houses, viz.

Message from  
His Excellen-  
cy the Gov.

Gentlemen of the Council and House of Representatives,

**I**N the Recess of the Court, I received a Letter from the Honourable JAMES DE LANCEY, Esq; Lieutenant Governour of New-York, dated the fifth of February last, in Answer to my Letter to him accompanying a Report of a Committee on the Affair of the Boundary Line between the two Provinces; which Report was accepted by you sometime before the End of the last Session: Upon perusing Mr. DE LANCEY's Letter it appeared to me highly probable that the Government of New-York would join with us in a Convention of Commissioners for settling our Differences on the Affair aforesaid, unless something should happen in the mean Time to widen this Difference.

And therefore I judged it proper, with the Advice of his Majesty's Council, to send by Express a Copy of this Letter of Mr. DE LANCEY's to the Commissioners sent by this Court upon the Western Borders of this Province &c. (who were then upon their Journey) with the Advice of the Board thereupon; in which it was left to the Commissioners Discretion how to proceed thereon: Upon receiving this Dispatch, the Commissioners tho't proper to return without doing the Business they went upon: And therefore I desire you would now consider what is necessary further to be done by this Court, in Relation to this Controversy between us and New-York.

Council-Chamber

W. S H I R L E Y.

April 5th. 1754.

*Ordered*, That the Consideration of His Excellency's Message be referred 'till to Morrow Morning ten o'Clock.

The House according to the Order of the Day, re-assumed the Consideration of the Message to his Excellency the Governour, prepared in Answer to his SPEECH of the 28th of *March* last, and the 2d of *April* Instant. And a large Debate was had thereon.

Debate on the  
Gov. Speech  
of the 28th ult.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.



## Sabbati 6. Die Aprilis, A. D. 1754.

Committee  
for Reprinting  
Temporary  
Laws.

**O**rdere*d*, That Mr. Speaker, *Samuel Welles*, and *James Otis*, Esqrs; with such as the honourable Board shall join, be a Committee as soon as may be, to cause the Temporary Laws to be Re-printed, and that they agree with some Printer, to print a suitable Number for the Supply of the Province. Sent up for Concurrence.

Committee  
for a Bill.

*Ordered*, That Col. *Lawrence*, Col. *Otis*, and Col. *Winslow*, be a Committee to prepare a Bill for Levying Soldiers.

Province Treas-  
urer directed.

*Ordered*, That the Province Treasurer be and hereby is directed to put the Law in Execution against the several Civil Officers in the Province who are Delinquent as to their paying into the Province Treasury the Fines which by Law they ought, and that the Treasurer be directed forthwith to advertise this Order in the publick Prints.

Sent up for Concurrence.

Commissary-  
General di-  
rected.

*Ordered*, That the Commissary-General be directed to provide suitable Cloathing Billeting and Schooling for the Indian Boy, who lately came from the Eastern Parts of the Province to the Town of *Boston*.

Sent up for Concurrence.

Petition of  
*Samuel Brad-*  
*street*.

A Petition of *Samuel Bradstreet*, Treasurer of the Town of *Charlestown*, as entred the last Session, representing that the Military Captains in said Town neglect, and one of them refuses, to pay in the Fines which are in their Hands, which ought to be paid into the Treasury of the said Town; praying that an Act may be made to compel such Officers to pay in such Fines.

Read and *Ordered*, That *James Otis* and *Oliver Partridge*, Esqrs; and Mr. *James Bowdoin*, be a Committee to make a Remonstrance to His Excellency the Captain-General against the said Captain who refuses to pay in the Fines as by Law he ought.

Committee  
for a Bill.

*Ordered*, That Col. *Otis*, Mr. *Allen*, and Col. *Worthington*, be a Committee to prepare a Bill in Addition to the Act for the Limitation of Actions.

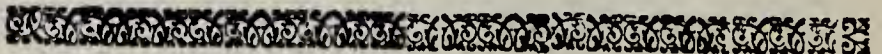
*Ordered*, That Col. *Otis* bring in a Bill to establish a Ferry in the County of *Dukes-County*.

Order on Gov.  
Message.

His Excellency's Message of Yesterday, was taken under Consideration, and after a Debate thereon,

*Ordered*, That it be further referred until Commissioners be chosen for the Interview at *Albany*.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.





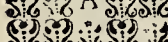
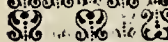


# VOTES

## Of the House of Representatives.



Lunæ 8. Die Aprilis, A. D. 1754.

 Petition of the Inhabitants of the Westerly Part of *Oxford*, praying they may be incorporated with the Privileges of a Town or District, for the Reasons mentioned. Petition of  
*Oxford* Inhabitants.  
 Read and Ordered, That the Petitioners serve the Clerk  
 of the Town of *Oxford* with a Copy of this Petition,  
 that they shew Cause (if any they have) on the second Thursday of the  
 next *May* Session, why the Prayer thereof should not be granted.

Sent up for Concurrence.

A Bill Intituled *An Act for erecting a Town in the County of Worcester at a Plantation called Nichawoag by the Name of* ———

Read a first Time.

*John Chandler*, Esq; brought down the Petition of *Sylvanus Barrows*. Petition of  
*Sylvanus Bar-*  
*rows* brought  
down.  
 Pass'd in Council, viz. In Council *April 5. 1754.* Read again, together with the Answer of *Obadiab Dickinson*, and the Papers accompanying the Petition & Answer, and thereupon Ordered, That *Sylvanus Bourn*, with such as the honourable House shall join, be a Committee to take the same under Consideration, hear the Parties, and report what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Mr. *Welles*, and Capt. *Ashley* are joined in the Affair.

*John Chandler*, Esq; brought down the Petition of *Benjamin Woodbury*, Guardian to *John White*, a Person *Non-Compos*. Petition of  
*Benj. Woodbury*  
bro't down.  
 Pass'd in Council, viz. In Council *April 5. 1754.* Read and Ordered, That the Prayer of the Petition be granted for the Purposes therein mentioned, and that the Petitioner be and hereby is impowred to make Sale of the Lands within mentioned for the most the same will fetch, and to execute a good Deed or Deeds in the Law to the Purchaser or Purchasers thereof, he observing the Rules prescribed in the Law as to the Sale of Interestate Estates, and giving Bond to the Judge of Probate for the County of *Worcester* to be accountable for the Money arising by such Sale.  
 Sent down for Concurrence. Read and concur'd.

S f f

George

Petition of *George Leonard*, Esq; brought down the Petition of *Sarah Hazzen*.  
*Sarah Hazzen* Pass'd in Council, viz. In Council *April 5. 1754.* Read and con-  
 bro't down. curr'd with the further Amendment at C. viz. dele—*twenty four.*

Sent down for Concurrence.

Read and non-concur'd, and the House adhere to their own Vote.

Sent up for Concurrence.

Petition of *John Wheelwright*, Esq; brought down the Petition of *John Hallenbeck*,  
*John Hallenbeck* and others. Pass'd in Council, viz. In Council *April 8. 1754.*  
 bro't down. Read and Ordered, That *Samuel Watts, John Chandler, Andrew Oliver,*  
 and *Thomas Hutchinson*, Esqrs; with such as the honourable House  
 shall join, be a Committee to take under Consideration the Petition,  
 and report what they judge proper for this Court to do thereon as  
 soon as may be. Sent down for Concurrence.

Read and concur'd, and Col. *Worthington*, Col. *Partridge*, Mr. *Ly-*  
*man*, Col. *Otis*, Capt. *Williams*, and Mr. *Welles*, are joined in the Affair.

Committee *Ordered*, That Mr. *Welles*, Mr. *Allen*, and Col. *Winslow*, be a Com-  
 for a Message. mittee to draw up a proper Message to be sent to the honourable Board,  
 representing the Dissatisfaction of the House relating to the Conduct of  
 the honourable Board on the Petition of *Sarah Hazzen*, and to report  
 as soon as may be.

Report on *The Committee appointed on the Petition of John Asbley*, reported  
 Petition of according to Order.  
*John Asbley*, Esq

Read and accepted, and Ordered, That a new Warrant be issued to  
 the Petitioner for the Sum of *eight Pounds four Shillings and four Pence*,  
 in full Discharge of the Account for which the Warrant mentioned in  
 the Petition issued, which Warrant is mislaid, and is hereby made void.

Sent up for Concurrence.

Petition of *John Chandler*, Esq; brought down the Petition of *John Pearson*, with  
*John Pearson* a Report of a Committee thereon. Signed *James Minot*, per Order.  
 bro't down. Pass'd in Council, viz. In Council *April 3. 1754.* Read and Ordered,  
 That the Report be accepted, and that the Petitioner be and hereby  
 is impowred to bring forward his Writ of Review of the Action with-  
 in mentioned, at the next Superiour Court of Judicature to be holden  
 at *Ipswich*, within and for the County of *Essex*, on the first Tuesday of  
*June* next, and the Justices of the said Court are hereby authorized  
 and impowred to hear and try the same, enter up Judgment and award  
 Execution thereon accordingly. Sent down for Concurrence.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

**Martis 9. Die Aprilis, A. D. 1754.**

Petition of *A* Petition of the Select-Men of the Town of *Holiston*, representing  
 Town of *Hol-* the distressed Circumstances of said Town by Reason of the  
*iston.* grievous Sicknefs and Mortality there, praying for the Com-  
 passionate Consideration of this Court, for the Reasons mentioned.

Read and committed to Capt. *Joseph Williams*, Capt. *Asbley*, and  
 Mr. *Greenwood*, to consider and report thereon.

A



A Bill Intituled *An Act for erecting a Town in the County of Wor-* Bill engross'd.  
*cester at a Place called Nichawoag by the Name of ———*

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

A Petition of *Joseph Barber*, and others, as entred *April 10th 1753.* Petition of  
 and referred. *Joseph Barber.*

Read and *Ordered*, That the Petition be dismiss'd.

The Committee appointed on the Petition of *Joseph Johnson*, Report on  
 reported. Petition of  
*Jos. Johnson.*

Read and not accepted, and *Ordered*, That the Petition be dismiss'd.

A Petition of *Joseph Metcalf* of *Rutland*, representing he was im- Petition of  
 pressed as a Soldier on the 27th of *July 1749.* and sent to the Eastern *Jos. Metcalf.*  
 Parts of the Province, and that he was in the Service six Weeks and  
 two Days more than he was mustered on his Captain's Roll, praying  
 he may be allowed therefor.

Read and committed to Mr. *Phips*, Mr. *William Bowdoin*, and Mr.  
*Marcy*, to consider and report thereon.

*Ordered*, That *Capt. Ashley*, Mr. *Marcy*, and Mr. *Lyman*, be a Committee Committee  
 to consider and report what Method shall be taken to secure & dispose relating to  
 of the several Articles furnished by the Province for the late Mohawk the Mohawk  
 School at *Stockbridge*. School.

*Ordered*, That *Capt. Frie*, Col. *Partridge*, and Col. *Lawrence*, be a Committee  
 Committee to prepare a Bill to encourage a better Breed of Horses for a Bill.  
 in this Province.

The Committee appointed on the Petition of *James Pierce* of *Salem*,  
 as entred the 5th Currant, reported. Report on  
 Petition of  
*James Pierce.*

Read and thereupon *Voted*, That there be now advanced and paid  
 out of the publick Treasury the Sum of *six Pounds* to the Petitioner,  
 and that annually hereafter he be allowed and paid the Sum of *three*  
*Pounds* during the Court's Pleasure. Sent up for Concurrence.

A Petition of *Barnabas Paine*, and others, a Committee of the Pro- Petition of  
 prietors of Lands in the South Purchase in *Truro*, praying that an *Barnab. Paine*  
 Act may pass this Court to secure their Beaches and Meadows, for the  
 Reasons mentioned.

Read and *Ordered*, That Col. *Otis*, Col. *Lawrence*, and Col. *Rich-*  
*ards*, bring in a Bill for that Purpose.

A Petition of the Select-Men of *Walpole*, praying that the Fine im- Petition of  
 posed on said Town for not sending a Representative may be remitted, Select-Men  
 for the Reasons mentioned. of *Walpole.*

Read and *Ordered*, That the Petition be dismiss'd.

*Joseph Pyncheon*, Esq; brought down the Petition of *John Woodbridge*. Petition of  
 Pass'd in Council, viz. In Council *April 9th 1754.* Read again, and *John Wood-*  
 re-considered, and *Ordered*, That *George Leonard*, and *John Chandler*, bridge.  
 Esqrs; with such as the honourable House shall join, be a Committee  
 to hear the Parties, consider the Petition, and report what they judge  
 proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Col. *Lawrence*, Mr. *Fletcher*, and Mr. *James*  
*Bowdoin*, are joined in the Affair.

*John*

Mr. Haywood on a Committee in the Room of Capt. Chandler. *John Chandler, Jun. Esq;* having represented the Inconveniency of his attending as one of the Committee upon the Affair of *Pequig* ; *Voted*, That he be excused from said Service, and that Mr. *Phinebas Haywood* be appointed in his Room.

Sent up for Concurrence.

Report on Petition of *Holliston*. The Committee appointed this Day on the Petition of the Select-Men of *Holliston*, reported.

Read and accepted, and *Ordered*, That the Sum of *twenty-six Pounds thirteen Shillings and four Pence*, be granted and paid out of the publick Treasury to the Select-Men of said Town (in Consideration of their calamitous Circumstances occasioned by the late mortal Sicknefs that prevailed there) and by them to be applied for the Use and Relief of such poor indigent Persons as may most need the same.

Sent up for Concurrence.

Petition of *Wm. Ayres &c.* bro't down.

*George Leonard, Esq;* brought down the Petition of *William Ayers*, and others, and *Jedediah Foster*, and others. Pass'd in Council, *viz.* In Council *April 9th 1754. Voted*, That *John Cushing*, and *John Quincy, Esqrs;* with such as the honourable House shall join, be a Committee to take under Consideration the several Petitions of *William Ayers*, *Josiah Converse*, and others, and *Jedediah Foster*, and others, hear the Parties, and report what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Col. *Winslow*, Col. *Otis*, and Mr. *Haywood*, are joined in the Affair.

Petition of Capt. *Samuel Stevens*.

A Petition of Capt. *Samuel Stevens* of *Roxbury*, representing he has been obliged to pay a very extraordinary Sum of Money as he was one of the Partners in the Manufactory Scheme, praying the compassionate Consideration of this Court.

Read and committed to Capt. *Livermore*, Mr. *James Bowdoin*, and Mr. *Nichols*, to consider and report thereon.

Message to the Board.

The Committee appointed to prepare a Message to be sent to the honourable Board, reported.

Read and accepted, and thereupon *Voted*, That the following Message be sent to the honourable Board, *viz.*

It is with Concern that the House observe the Difficulty made by the honourable Board on the Petition of *Sarah Hazzen, Widow*, Relect of *Richard Hazzen, Esq;* decess'd : Had not this Government been under some equitable Obligation to Mr. *Hazzen*, it must not be supposed your Honours would have concurred the Grant of *four Hundred and sixty-eight Pounds*, five Years free of Interest in *June* last : And if that be the Case, it is not easy to conceive how the General Court's neglecting to enable the Province Treasurer to pay the Grant before Mr. *Hazzen's* immature Death, could discharge or cancel it. The House are very loth to make any Observations on the Proceedings of the honourable Board in this Affair, which may be disagreeable, and hope that your Amendment of a Grant of Money made by the House was not designed to infringe or weaken the Rights of the People who pay the Money, and who best know the Manner and Circumstances proper in raising and granting it ; but we would rather persuade ourselves, that it proceeded from that Propensity in human Nature to overlook our own Mistakes, even at the same Time that we are shewing ourselves very Nice and Critical on any Slips we imagine to be in others.

Your

Your Honours must be sensible that no Amendment or modal Alteration is ever made in a Grant of Money which goes up from the Representatives of the People ; and that it is subject only to a bare Concurrence or Non-concurrence. The House of Representatives are sensible how very heavily the unavoidable Charges of the Province bear on the People, and would gladly make them as easy and light as in Justice they possibly can ; and therefore have reduced the *Hundred and forty Pounds* first granted, to the Sum of *one Hundred and twenty-four Pound*, deducting the Rebate for prompt Payment ; the *Hundred and twenty-four Pounds* paid now very soon being equal to *one Hundred and forty Pounds*, growing due for the Loan for five Years.

Ordered, That Mr. *Fletcher*, Mr. *William Bowdoin*, Mr. *Gibbs of Newton*, Col. *Lawrence*, and Mr. *James Bowdoin*, be a Committee to carry up the foregoing Message to the honourable Board.

Ordered, That the Representatives for the Town of *Boston* have Liberty to bring in a Bill to regulate Funerals on Lord's-Days in said Town. Liberty for a Bill.

A Bill Intituled *An Act for the securing of the Beaches and Meadows in the South Purchase in Truro, and preventing Cattle, &c. feeding thereon.* Bill read,  
Read a first Time.

### *Post Meridiem.*

The Committee appointed on the Petition of *Benjamin Pierce*, reported.

Read and accepted, and Voted, That the Petitioner in his said Capacity be and hereby is impowred to make Sale of the Premisses mentioned in the Petition, and to make and execute a good Deed or Deeds of Conveyance of the same, he observing the Directions of the Law respecting the Sale of Intestate Estates ; and giving Bond to the Judge of Probate for the County of *Essex*, for the duly improving the Proceeds thereof for the Benefit of the said Minor.

Sent up for Concurrence.

The Committee appointed on the Petition of *John Harman of York*, reported.

Read, and the Question was put, *Whether the Report shall be accepted ?*

It pass'd in the Negative. And

Ordered, That the Petition be dismiss'd.

An engross'd Bill Intituled *An Act for erecting a Town in the County of Worcester at a Place called Nichawoag by the Name of ———* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

The Committee appointed to consider what Method shall be taken to secure &c. the several Articles furnished by the Province for the late *Mobawak School* at *Stockbridge*, reported. Vote relating to the School at Stockbridge.

Read, and thereupon Voted, That Brigadier *Dwight* be desired to secure the same for the Benefit of the Province, until this Court shall further Order.

Sent up for Concurrence.

*Isaac Royall*, Esq; brought down the Petition of *Elisha Freeman*, Agent of the Town of *Rochester*. Pass'd in Council, viz. In Council Petition of Elisha Freeman bro't down.

T t t

*April*



*April 9th 1754.* Read again, together with the Answers of the Town of *Dartmouth*, and thereupon Ordered, That *John Quincy*, and *John Chandler*, Esqrs; with such as the honourable House shall join, be a Committee to hear the Parties, and report what they judge proper for this Court to do thereon. Sent down for Concurrence.

Read and concur'd, and Col. *White*, Capt. *Joseph Williams*, and Mr. *Adams*, are joined in the Affair.

Petition of  
*Benj. Pierce*  
bro't down.

*Isaac Royall*, Esq; brought down the Petition of *Benjamin Pierce*. Pass'd in Council, viz. In Council *April 9th 1754.* Read and concur'd with the Amendment at A, viz. dele — *in said Capacity*— and insert —*his Capacity as Administrator*—

Sent down for Concurrence.

Read and concur'd.

Debate on  
Governour's  
Speeches.

The House according to Order, entred into the Consideration of an Answer to His Excellency's two Speeches of the 28th of *March* last, and 2d of *April* Instant, and a large Debate was had thereon.

Then the House adjourn'd 'till to Morrow Morning ten o'Clock.

## Mercurii 10. Die Aprilis, A. D. 1754.

Petition of  
*Ruth Jeffrys*.

A Petition of *Ruth Jeffrys*, Indian-Woman of *Titticut*, praying that Part of the Indian Lands at *Titticut* may be allotted to her and her Children.

Read and committed to Col. *White*, Col. *Winslow*, and Col. *Bradford*, to consider and report thereon.

Petition of  
*Kath. Sachamus*.

A Petition of *Katharine Sachamus*, praying that a certain Deed may be declared void, which was fraudulently obtained of her Lands at *Titticut*, &c. for the Reasons mentioned.

Read and committed to Col. *White*, Col. *Winslow*, and Col. *Bradford*, to consider and report thereon.

Petition of  
*Steph. David*.

A Petition of *Stephen David*, Indian Man at *Titticut*, praying for Liberty to sell Part of his Lands &c. for the Reasons mentioned.

Read and committed to Col. *White*, Col. *Winslow*, and Col. *Bradford*, to consider and report thereon.

Petition of  
*Kath. Sachamus*  
brought  
down.

*John Chandler*, Esq; brought down a Petition of *Katharine Sachamus*, with a Report signed *Samuel White*, per Order.

Pass'd in Council, viz. In Council *April 5th 1754.* Read and accepted, and Ordered, That the Guardians of the *Titticut* Indians take Care that Justice be done the Petitioner respecting the Lands mentioned in the Petition. Sent down for Concurrence.

Read and concur'd.

Petition of  
*Benj. Tucker*.

A Petition of *Benjamin Tucker* of *Middleborough*, Coroner, praying that the Court of General Sessions of the Peace for the County of *Plymouth*, may be directed to pay the Charges of an Inquisition upon the Body of *Betty David*, an Indian Woman, found dead, &c. for the Reasons mentioned.

Read and committed to Col. *White*, Col. *Winslow*, and Col. *Bradford*, to consider and report thereon.

A Petition of *Mr. Gideon Lyman* of *Northampton*, praying that the Government would sell him a certain Island in *Connecticut-River*, between *Northampton* and *Hadley*, for the Reasons mentioned. Petition of  
Mr. Gideon  
Lyman.

Read and committed to *Col. Lawrence*, *Capt. Marcy*, and *Capt. Livermore*, to consider and report thereon.

A Petition of *John Ephraim*, Indian Man of *Natick*, praying he may have Liberty to make Sale of twenty Acres of his Lands, for the Reasons mentioned. Petition of  
John Ephraim.

Read and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner have Liberty to make Sale of twenty Acres of his Out-Lands, with the Advice and under the Direction of the Guardians of the *Natick* Indians, and the Proceeds thereof to be applied for the Purposes mentioned in the Petition.

Sent up for Concurrence.

A Petition of *Benjamin Hodges*, in Behalf of himself and others, praying they may have a new Trial of an Action of Ejectment relating to the Claim called *Bradford-Claim* in the County of *Bristol*, for the Reasons mentioned. Petition of  
Benj. Hodges.

Read and committed to *Col. Worthington*, *Mr. Welles*, and *Col. Buckminster*, to consider and report thereon.

The Committee appointed to take under Consideration a Petition of *Ebenezer Pain*, and Papers accompanying the same, reported. Report on Pe-  
tition of Eben.  
Pain.

Read and accepted and Ordered, That the Sum of twenty Pounds be granted and paid out of the publick Treasury to *John Asbley*, Esq; of *Sheffield*, and by him to be employed for the Support of *Joseph Pain*, now in *Albany* Goal; said *Asbley* to be accountable to this Court.

Sent up for Concurrence.

A Petition of *Samuel Morse*, Guardian to *Sarah Wabon*, an Indian Girl, praying that he may have Liberty to make Sale of certain Lands that *Sarah* the Mother of said Girl died seized of, for the Reasons mentioned. Petition of  
Sam. Morse.

Read and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner in his said Capacity, with the Advice of the Guardians of the *Natick* Indians, have Liberty to make Sale of so much of the Lands mentioned in the Petition, as may be necessary for the Purposes therein mentioned, and make and execute a proper Deed or Deeds to the Purchaser or Purchasers of said Lands.

Sent up for Concurrence.

A Petition of *Elizabeth Rumni-marsh* of *Natick*, Indian Woman, praying she may have Liberty to make Sale of Part of her Lands to discharge her Debts &c. Petition of  
Eliz. Rumni-  
marsh.

Read and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner have Liberty, with the Advice and under the Direction of the Guardians of the *Natick* Indians, to make Sale of twelve Acres of her Lands, the said Guardians to see to it that the Proceeds of the Sale be applied for the Purposes mentioned in the Petition.

Sent up for Concurrence.

Whereas the Fort at *Richmond* is in a very ruinous Condition, and past Repair, and a more suitable Place may be found further up *Kennebeck-River*, whereon to erect a new one; and in as much as it is the earnest Vote for a  
Supply of the  
Treasury.

*earnest Desire of the two Houses, that His Excellency the Governour would take the Trouble of a Voyage to the Eastern Parts of this Province to give Direction concerning this Fort, as well as other important Matters; and the two Houses have also concluded to desire His Excellency to give Orders for inlisting five Hundred Men including Officers, to attend his Commands Eastward; as also that Commissioners with a Present to the Six Nations from this Province shall attend the General Convention at Albany in June next:*

Therefore for carrying on and accomplishing these Purposes, and no other, the House now grant the Sum of *Five Thousand three Hundred Pounds*, and for supplying the Treasury, direct the Province Treasurer to borrow the said Sum of *Five Thousand three Hundred Pounds*, on lawful Interest, and for a Term not exceeding one Year, as soon as may be; and that as a collateral Security, the Excise for the Year 1753, be Mortgaged: And it is also voted, That His Excellency be desired to issue a Proclamation as soon as he shall think proper, for inlisting the Men above proposed, for a Time not exceeding three Months, upon the Bounty of *forty Skillings* at Inlistment, and the Wages of *twenty six Skillings and eight Pence* per Month; which this House now vote shall be given the private Centinels; and that the Wages of the Officers shall be in Proportion.

### *Post Meridiem.*

Petition of  
*Sam. Thayer*  
bro't down.

*John Otis*, Esq; brought down the Petition of *Samuel Thayer*, and others, with the Papers accompanying the same. Pass'd in Council, *viz.* In Council *April 10th 1754.* Read, and it appearing that the Towns of *Mendon* and *Uxbridge* have agreed in Relation to the Boundary Line between them; *Ordered*, That this Petition be dismiss'd.

Sent down for Concurrence. Read and concur'd.

Petition of  
*Uxbridge* bro't  
down.

*John Otis*, Esq; brought down the Petition of a Committee of the Town of *Mendon*, and a Committee of the Town of *Uxbridge*. Pass'd in Council, *viz.* In Council *April 10th 1754.* Read and *Ordered*, That the Prayer of the foregoing Petition be granted, and the Boundary Line between the Towns of *Mendon* and *Uxbridge*, as described in the Agreement herewith exhibited, be and the same is hereby established to all Intents and Purposes whatever.

Sent down for Concurrence. Read and concur'd.

Petition of  
*Job Abauton*.

A Petition of *Job Abauton*, praying that a Deed of certain Lands at *Tetticut* obtained from him when intoxicated with strong Liquor, by one *Stephen David*, may be declared void.

Read and *Ordered*, That the Petitioner serve the adverse Party *Stephen David*, with a Copy of this Petition, that he shew Cause, if any he have, on the second Friday of the next *May* Session, why the Prayer thereof should not be granted.

Sent up for Concurrence.

Report on  
Mr. Gunter's  
Petition.

The Committee appointed the last Session on the Petition of Mr. *Thomas Gunter*, and others, reported.

Read and not accepted, and *Ordered*, That the several Parties concerned be heard on the Floor on Tuesday next ten o'Clock.

Message from  
the Board.

*John Chandler*, Esq; came down from the honourable Board, with a Message, desiring that the Committee's Report on the Governour's two Speeches may be sent up to the Board.

Which was sent up accordingly.

The



The Committee appointed to bring in a Bill in Addition to the Act Bill engros'd.  
Intituled *An Act for the further Limitation of Actions.*

Read a first second and third Time, and pass'd to be engros'd.  
Sent up for Concurrence.

The Committee appointed on the Petition of *Jonathan Gage* of *Newbury*, reported.

Report on  
Petition of  
*Jonath. Gage.*

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner be allowed and paid out of the publick Treasury the Sum of *ten Pounds*, in full for his Sufferings and Services mentioned in the Petition.

Sent up for Concurrence.

*John Chandler*, Esq; brought down the Petition of sundry Inhabitants of the first Parish in *Brookfield*, with the Report of a Committee Signed *John Cushing*, per Order.

Report of  
Committee on  
Petition of  
*Brookfield.*

Pass'd in Council, viz. In Council *April 10th 1754.* Read and accepted, and Ordered, That *Samuel Watts*, Esq; with such as the honourable House shall join, be a Committee to repair to the Town of *Brookfield*, and view the Situation and Circumstances of the Petitioners, and report at the next Session what they judge proper for this Court to do thereon; the Charge thereof to be born as this Court shall order.

Sent down for Concurrence.

Read and concur'd, and Capt. *Livermore*, and Mr. *Phineas Haywood*, are joined in the Affair.

*John Wheelwright*, Esq; brought down the Petition of *John Woodbridge*. Pass'd in Council, viz. In Council *April 9th 1754.* Read again, and Ordered, That the Prayer of the Petition be so far granted, that the Petitioner hereby is impowred to bring forward his Writ of Review at the next Superiour Court of Judicature to be holden at *York* for the County of *York* on the second Tuesday of *June* next, and the Justices of said Court are hereby impowred to hear and try the same, enter up Judgment, and award Execution thereon accordingly.

Petition of  
*John Wood-  
bridge* bro't  
down.

Sent down for Concurrence.

Read and concur'd.

*Benjamin Lincoln*, Esq; brought down the Petition of *Mercy Fuller* of *Concord*, Administratrix on the Estate of *Josiah Fuller*, deceased. Pass'd in Council, viz. In Council *April 10th 1754.* Read and Ordered, That the Prayer of the Petition be granted, and that the Petitioner is hereby impowred in her Capacity within mentioned to make Sale of the Whole of the Estate within mentioned, and to execute in due Form of Law a Deed for the Conveyance thereof to such Person as shall give most for the same, provided the Petitioner observe the Directions of the Law respecting Executors and Administrators Sale of Lands, and give sufficient Caution to the Judge of Probate for the County of *Middlesex*, to account for the Produce of the Premises, and dispose thereof pursuant to Law.

Petition of  
*Mercy Fuller*  
bro't down.

Sent down for Concurrence.

Read and concur'd.

*Benjamin Lincoln*, Esq; brought down the Petition of *Hopestill Bent.* Pass'd in Council, viz. In Council *April 10th 1754.* Read and Ordered, That the Prayer of the Petition be granted, and that the Petitioner in his Capacity abovementioned, with the Advice and Consent of the Guardians of the *Natick* Indians, be and hereby is im-

Petition of  
*Hopestill Bent.*  
bro't down.

powred to make Sale of the Real Estate mentioned in the Petition to such Persons as shall give most for the same, and to give a good and sufficient Deed in Law for the same; he giving Bond to the Judge of Probate for the County of *Middlesex* to dispose of the neat Proceeds, after the just Debts are paid, for the greatest Benefit of the Heirs of the said *Nathanael Coochuck*. Sent down for Concurrence.

Read and non-concur'd, and *Ordered*, That the Petition be dismissed.

Petition of  
*Joseph Owen*.

A Petition of *Joseph Owen* of *Braintree*, praying he may be allowed a Re-hearing of an Action of Trespass brought against him by Mr. *John Borland* of *Boston*, at the last Inferiour Court held at *Boston* on the first Tuesday of *January* last, for the Reasons mentioned.

Read and *Ordered*, That the Petitioner serve the adverse Party *John Borland* with a Copy of this Petition, that he shew Cause, if any he have, on the second Thursday of the next *May* Session, why the Prayer thereof should not be granted, and that Execution be staid in the mean Time, provided the Petitioner give Bond to the Sheriff of the County of *Suffolk*, with sufficient Sureties, to pay such Sum as the said *Borland* may finally recover against him, with Interest from this Time.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

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**JOVIS 11. Die Aprilis, A. D. 1754.**

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Petition of  
*Barnden*.

A Petition of *Benjamin Harnden* of *Wilmington*, praying he may be allowed a Re-hearing of an Action prosecuted against him at the Court of Sessions held at *Concord* for the County of *Middlesex* on the first Tuesday of *September* last, for the Reasons mentioned.

Read and committed to Capt. *Frie*, Capt. *Newball*, and Mr. *Nath. Russell*, to consider and report thereon.

Petition of  
*Elijah Cushing*.

*Sylvanus Bourn*, Esq; brought down the Petition of *Elijah Cushing*, Agent for the second Precinct in *Pembroke*. Pass'd in Council, viz. In Council *April* 10th 1754. Read and *Ordered*, That the Prayer of the Petition be granted, and that the Petitioners, with their Estates, comprehended within the Bounds of said Precinct, be and hereby are to all Intents and Purposes annexed to and made Part of the Town of *Pembroke*.

Sent down for Concurrence.

Read and *Ordered*, That the further Consideration of this Petition be referred to the next *May* Session.

Order on a  
Bill.

A Bill Intituled *An Act for Incorporating Benjamin Pollard, Esq; and others, by the Name of the Independent Company of Cadets*.

Read a first Time, and *Ordered*, That the Bill have a second Reading at four o' Clock Afternoon.

Report of a  
Message.

*Benjamin Lincoln*, Esq; brought down a Report of a Committee of both Houses of a Message to His Excellency the Governour.

Signed *Samuel Watts*, per Order.

Pass'd in Council, viz. In Council *April* 11th 1754. Read and *Ordered*, That this Report be accepted, and that *Sylvanus Bourn* and *Joseph Pyncheon*, Esqrs; with such as the honourable House shall join, be a Committee to present the same to His Excellency accordingly.

Sent down for Concurrence.

Read

Read and concur'd, and Col. *Worthington*, Col. *Richards*, and Capt. *Afbley*, are joined for that Purpose.

*Ordered*, That Mr. *Stevens* be of the Committee on the Petition of *Elisba Freeman*, in the Room of Col. *White*, who cannot attend that Service. *Mr. Stevens on a Committee.*  
Sent up for Concurrence.

*John Otis*, Esq; brought down the Petitions of the northerly Inhabitants of *Concord*, with the Report of a Committee of both Houses. *Petition of Concord bro't down.*  
Signed *Benjamin Lynde*, per Order.

Pas'd in Council, *viz.* In Council *April 11th 1754.* Read and accepted, and *Ordered*, That the Petitioners have Liberty to bring in a Bill for the Purposes within mentioned accordingly.

Sent down for Concurrence. Read and concur'd.

*Voted*, That *Francis Brindley*, Esq; have Liberty to withdraw the Petition signed by himself and others, as entred this Session.

### *Post Meridiem.*

The Committee appointed on the Petition of Mr. *Gideon Lyman*, as Report on Petition of Mr. *Gideon Lyman*,  
entred this Session, reported.

Read and accepted, and *Ordered*, That the Prayer of the Petition be so far granted, as that Col. *Worthington*, and Col. *Partridge*, be a Committee to make Sale of the Island mentioned in the Petition, for the most it will fetch, they to be accountable to this Court for their Proceedings as soon as may be. Sent up for Concurrence.

A Bill Intituled *An Act for Incorporating Benjamin Pollard, Esq; and others, by the Name of the Independent Company of Cadets.*

Read a second Time, and after a large Debate had thereon,

*Ordered*, That the further Consideration thereof be referred to the next May Session.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

### **Veneris 12. Die Aprilis, A. D. 1754.**

*John Greanleafe*, Esq; brought down a Bill Intituled *An Act in further Addition to the Act for Limitation of Actions, and for avoiding Suits in Law where the Matter is of long Standing.* *Bill bro't down.*  
*Pas'd in Council, viz. In Council April 10. 1754.* Read a first and second Time, and concurred with the Amendments at A, B, C, D, E, & F.  
Sent down for Concurrence. Read and concur'd.

*John Greanleafe*, Esq; brought down the Petition of *Sarah Hazzen*. *Petition of Sarah Hazzen bro't down.*  
*Pas'd in Council, viz. In Council April 10. 1754.* Read and non-concur'd, and the Board insist on their own Vote.

Sent down for Concurrence.

Read and non-concur'd, and the House insist on their own Vote.

Sent up for Concurrence.

*Ordered*, That *Samuel White*, Esq; go up to the honourable Board and inform them that the House propose at four o'Clock Afternoon by  
*Message to the Board.*



by joint Ballot to make Choice of five Commissioners to proceed to *Albany* in *June* next, to meet Commissioners from the other Governments at the propos'd Interview with the *Six Nations* ; as also there to meet with the Commissioners of *New-York* to settle the Boundary between this Government and that of *New-York*.

Committee to  
prepare In-  
structions for  
the Com-  
missioners.

*Ordered*, That Mr. Speaker, Mr. *Welles*, Col. *Partridge*, and Col. *Worthington*, with such as the honourable Board shall join, be a Committee to prepare Instructions for the Commissioners that may be appointed this Day, to meet Commissioners from the other Governments at *Albany* in *June* next, at the propos'd Interview with the *Six Nations* ; as also Commissioners from *New-York* to settle the Boundary between this Government and that of *New-York*.

Sent up for Concurrence.

Col. *Richards*,  
&c. on a Com-  
mittee.

*Ordered*, That Col *Richards*, and *Samuel Welles*, Esq; be added to the Committee chosen the 19th of *January* last, to make Enquiry what Money is in the Hands of the several Collectors of Tea, Coffee, &c.

Message to  
the Board.

*Ordered*, That Col. *Partridge* go up to the honourable Board and enquire whether they have passed on the Vote directing the Province Treasurer to put the Law in Execution against the several Civil Officers in the Province, who have not paid into the Treasury the Fines which by Law they ought, passed this House the 6th of *April* last.

*Samuel Watts*, Esq; brought down the following Vote.

Message from  
the Board.

A Message from the honourable Board by *Samuel Watts*, Esq; informing that the Board agreed to come upon the Choice of five Commissioners at four o'Clock Afternoon, and that the Board proposed the said Commissioners should consist of three of the House, and two of the Board.

Message to  
the Board.

*Ordered*, That Mr. *Fletcher* be directed to inform the honourable Board that the House agree to their Proposal respecting the Commissioners.

Petition of  
*Elisha Freeman*  
bro't down.

*John Otis*, Esq; brought down the Petition of *Elisha Freeman*, Agent for the Town of *Rochester*, with the Papers accompanying the same, with a Report of a Committee of both Houses thereon,

Signed *John Quincy*, per Order.

Pass'd in Council, viz. In Council *April* 12. 1754. Read and accepted, and *Ordered*, That the Line run between *Rochester* and *Dartmouth* in 1701, be and hereby is confirmed, and that the Island *Naketan* be accounted as Part of *Dartmouth*. Sent down for Concurrence.

Read and concur'd.

Treasurer  
directed.

*Ordered*, That the Province Treasurer be and hereby is directed to put the Law in Execution against the several Civil Officers in the Province, who are delinquent as to their paying into the Province Treasury the Fines which by Law they ought to pay ; and that the Treasurer be directed forthwith to advertise this Order in the publick Prints.

Bill for bor-  
rowing Money

A Bill Intituled *An Act impowring the Province Treasurer to borrow Five Thousand three Hundred Pounds, and for applying the same to defrey the Charge of building a Fort on Kennebeck-River, and for sundry other Purposes ordered by this Court.*

Read a first and second Time.

*James*

*James Minot*, Esq; brought down the Petition of *Natbanael Hough-* Petition of  
*ton*, and others. Pass'd in Council, viz. In Council April 12. 1754. *Nath. Hough-*  
 Read again, together with the Answer of the Town of *Brantree*, and *ton* bro't down.  
 Ordered, That *Sylvanus Bourn*, Esq; with such as the honourable House  
 shall join, be a Committee to take this Petition and Answer under  
 Consideration, to hear the Parties, and report what they judge proper  
 for this Court to do thereon. Sent down for Concurrence.

[Brantree]

Read and concur'd, and Capt. *Spurr*, and Mr. *William Bowdoin*, are  
 joined in the Affair.

### *Post Meridiem.*

The Committee appointed on the Petition of *Benjamin Hodges*, and Petition of  
 others, reported that it was the Desire of the Parties concerned that *Benj. Hodges*  
 it be referred. Therefore, referred.

Ordered, That the Petition be referred to the next May Session for  
 further Consideration.

Ordered, That the Members of the Town of *Boston* bring in a Bill Liberty for a  
 for the punishing profane Curfing and Swearing in His Majesty's Goals Bill.  
 within this Province, as soon as may be.

Ordered, That Col. *Richards*, Col. *White*, Col. *Bradford*, and Col.  
*Lawrence*, be a Committee on the Part of the House to carry up the Committee  
 Votes for Commissioners to proceed to *Albany*, &c. and assist in sorting up Votes.  
 and counting them together with the Votes of the honourable Board,  
 and report to the House the Persons that shall be chosen.

Who returned that *Samuel Welles*, *John Chandler*, *Thomas Hutchinson*,  
*John Worthington*, and *Oliver Partridge*, Esqrs; were chosen.

A Bill Intituled *An Act impowring the Province Treasurer to borrow* Bill engross'd.  
*Five Thousand three Hundred Pounds, and for applying the same*  
*to defrey the Charge of building a Fort on Kennebeck-River, and for*  
*sundry other Purposes ordered by this Court.*

Read a third Time, and pass'd to be engross'd.

Sent up for Concurrence.

A Petition of the Select-Men of the Town of *Boston*, praying that Petition of  
 the said Town may be enabled to remove certain Buildings in order Select-Men  
 to widen the Street in said Town, called *Ann-Street*, for the Reasons of *Boston*.  
 mentioned.

Read and committed to Capt. *Joseph Williams*, Col. *Otis*, and Capt.  
*Newball*, to consider and report thereon.

A Bill Intituled *An Act in Addition to the Act made and passed in the* Bill engross'd.  
*eighth Year of her late Majesty Queen Anne, Intituled An Act for regu-*  
*lating Drains, or common Shores.*

Read a first, second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

*Andrew Oliver*, Esq; brought down the Petition of *Chambers Russell*, Petition of  
 Esq; and others. Pass'd in Council, viz. In Council April 12. 1754. *Chambers Rus-*  
 Read again, together with the Answers of the Towns of *Concord*, *Lex-* down.  
*ington*, and *Sudbury*, and the Petitions of *John Binning*, and others,  
 and *Natbanael Whitmore*, and *Job Brooks*, and Ordered, That *John*  
 X x x *Cushing*,

*Cushing*, and *John Quincy*, Esqrs; with such as the honourable House shall join, be a Committee to take the same under Consideration, hear the Parties, and report what they judge proper for this Court to do thereon.

Sent down for Concurrence.

Read and concur'd, and Col. *Worthington*, Mr. *Fletcher*, and Col. *White*, are joined in the Affair.

Bill bro't  
down.

*George Leonard*, Esq; brought down a Bill Intitl'd *An Act for dividing the Town of Concord, and making a District of the Northerly Part thereof, by the Name of ———* Pass'd in Council, viz. In Council April 12. 1754. Read a first and second Time, and pass'd to be engross'd.

Sent down for Concurrence.

Read a first and second Time.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

### Sabbati 13. Die Aprilis, A. D. 1754.

Vote relating  
to Town Offi-  
cers.

**O** Rdered, That Col. *White* prepare a Resolve to enable such Town-Officers as were chosen in *March* last, who did not take the Oath required by Law respecting the other Government Bills, to serve in their Offices upon their taking the Oath required by the last Law respecting said Bills.

Bill read.

A Bill Intitl'd *An Act for dividing the Town of Concord, and making a District of the Northerly Part thereof by the Name of ———*

Read a third Time, and concurred with the Amendments at A & B.

Sent up for Concurrence.

Petition of  
*Sarah Staniford*  
brought  
down.

*Andrew Oliver*, Esq; brought down the Petition of *Sarah Staniford*, Executrix of the Testament of *John Staniford*, deceas'd. Pass'd in Council, viz. In Council April 12. 1754. Read and Ordered, That the Prayer of the Petition be so far granted, as that the Petitioner *Sarah Staniford* in her Capacity of Executrix to the Estate of *John Staniford*, deceas'd, be and hereby is enabled to bring her Writ of Review on the Judgment within mentioned, at the next Inferiour Court of Common Pleas to be holden for and within the County of *Essex*, she to attend the Directions provided by Law in Case of bringing forward a Writ of Review, and the Justices of the said Court are hereby impowred to order an issuable Plea on the original Writ, and to hear and determine upon the Action of Review in like Manner to all Intents and Purposes whatsoever, as if the Non-suit referred to in the Petition had not been made. Sent down for Concurrence.

Read and concur'd.

Petition of  
*Eunice Hooper*.

A Petition of *Eunice Hooper* of *Marblehead*, Widow, representing sundry important Services her late Husband did the Province in the late War, &c. praying an Allowance therefor.

Read and committed to *Samuel Welles*, Esq; Capt. *Newball*, and Mr. *Nathanael Ruffel*, to consider and report thereon.

Petition of  
*Eben. Grant*.

A Petition of *Ebenezer Gilbert*, and others of *Brookfield*, praying they may be annexed to the Parish of *Ware-River*, for the Reasons mentioned.

Read and Ordered, That this Petition be committed unto the Committee of both Houses on the Affair of *Brookfield* appointed this Session, to take a View &c. to consider and report thereon.

Sent up for Concurrence.

The



The Committee appointed on the Petition of *Benjamin Harnden*, as entered the 11th Instant, reported.

Read and accepted, and *Ordered*, That the Petitioner have Liberty to bring forward his Action mentioned in the Petition a-new at the Court of General Sessions of the Peace to be holden at *Cambridge*, in the County of *Middlesex*, on the third Tuesday of *May* next, and the said Court are hereby impowred and ordered to hear and determine the same accordingly, and that Execution be stayed in the mean Time.

Report on  
Petition of  
*Benj. Harnden*.

Sent up for Concurrence.

*Ordered*, That Col. *Bradford*, Col. *White*, and Capt. *Frie*, be a Committee to prepare a List of the Travel and Attendance of the Members of this House at the present Session.

Committee  
for List.

On a Motion made and seconded, *Ordered*, That the Vote passed on the Petition of *Hopebill Bent* the 10th Instant, be re-considered, and concurred with the Vote of the honourable Board.

Order on Pe-  
tition of *Hope-  
bill Bent*.

*Isaac Royall*, Esq; brought down a Petition of *Joshua Brand*. Pass'd in Council, viz. In Council April 11th 1754. Read again, together with the Answer of *Isaac Little*, Esq; and *Ordered*, That the Prayer of the Petition be granted, and the Petitioner is allowed to Appeal from the Judgment within mentioned, to the Superiour Court of Judicature &c. to be holden at *Plymouth* within and for the County of *Plymouth* on the third Tuesday of *July* next; and the said Court are impowred to hear & try the same, enter up Judgment and award Execution thereon, provided sufficient Security be given to the Respondent to pay what Sum shall be recovered of the Petitioner upon the said Trial, with lawful Interest for the same from this Time to the Day when final Judgment shall be made up; and the Execution within mentioned is stayed in the mean Time; and that the Guardians of the *Natiek* Indians be advising and assisting to the Petitioner in his Proceedings.

Petition of  
*Joshua Brand*  
bro't down.

Sent down for Concurrence.

Read and committed to Col. *Bradford*, Mr. *Turner*, and Mr. *Stockbridge*, to consider and report thereon the next *May* Session, and the Petition is referred in the mean time.

*Ordered*, That Col. *Otis*, Capt. *Prebble*, and Col. *Worthington*, bring in a Bill in Addition to the several Laws made to prevent the Destruction of Fish that commonly pass up the several Rivers in this Province to cast their Spawns.

Committee on  
a Bill.

*Ordered*, That Mr. Speaker, *Samuel Welles*, Esq; Mr. *James Russell*, *John Tasker*, Esq; and Col. *Otis*, with such as the honourable Board shall join, be a Committee to consider what Measures may be taken more effectually to preserve and increase *Cod-Fish*.

Committee  
relating to  
*Cod-Fish*.

A Bill Intituled *An Act in further Addition to the several Laws already in being for the more speedy finishing the Land Bank or Manufactory Scheme*.

Bills read.

Read a first Time.

A Bill Intituled *An Act for Levying Soldiers, and to prevent Soldiers and Seamen in his Majesty's Service from being arrested for Debt*.

Read a first Time, and *Ordered*, That the Bill have a second reading on Monday next three o'Clock Afternoon.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.





# VOTES

Of the House of Representatives.



Lunæ 15. Die Aprilis, A. D. 1754.

**Bill** Intituled *An Act for Levying Soldiers, and to prevent* Bill read.  
*Soldiers and Seamen in His Majesty's Service from being*  
*arrested for Debt.*  
 Read a second Time, and re-committed to make the  
 proposed Amendments.

*John Otis, Esq;* brought down a Bill Intituled *An Act in Addition to* Bill read.  
*the Act made and passed in the eighth Year of her late Majesty Queen*  
*Anne, Intituled An Act for regulating of Drains or common Shores.* Pass'd  
 in Council, viz. In Council April 13. 1754. Read a first Time, 15th  
 a second Time, and pass'd a Concurrence with the Amendment.

Sent down for Concurrence.

Read and concur'd.

*Whereas sundry Disputes have arisen whether the Town Officers chosen* Order relating  
*in the Month of March last, and did not take the Oath relating to the* to the Oath  
*receiving and passing of the Bills of the other Governments until this present* on taking o-  
*Month of April, should take the Oath prescribed by the former Law re-* ther Govern-  
*lating to the receiving or passing said Bills, or the Oath prescribed by the* ment Bills.  
*last Law relating thereto, and many Inconveniencies being likely to arise*  
*therefrom :* Therefore,

*Ordered,* That the several Persons chosen to any Town Office in any  
 of the Towns within this Province in the Month of *March* last, and shall  
 take the Oath prescribed by the last Law relating to the receiving or  
 passing the said other Governments Bills, shall be held and deemed  
 qualified to serve in said Offices as tho' they had taken the Oath pre-  
 scribed by the said former Law ; and likewise those Persons who were  
 chosen to any Town Office in the Month of *March* last, and have in  
 this present Month of *April* taken the Oath prescribed by the said last  
 Law, shall be deemed and held qualified to serve in the said Town  
 Offices, as tho' they had taken the Oath prescribed by the said former  
 Law.

Sent up for Concurrence.

A Bill Intituled *An Act to enable the Justices of the Court of General* Bill read.  
*Sessions of the Peace at their several Sessions in the County of Dukes-*  
*County, more effectually to regulate and keep up a constant Ferry from*  
*Dukes County to Falmouth in the County of Barnstable.*

Read a first Time.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

Y y y

Martis



Partis 16. Die Aprilis, A. D. 1754.

Petition of  
*James Thomas.*

**A** Petition of *James Thomas*, Indian-Man of *Titticut*, praying he may have Liberty to sell all his Lands at *Titticut*, for the Reasons mentioned.

Read and committed to Col. *White*, Col. *Winslow*, and Col. *Bradford*, to consider and report thereon.

Report on  
Petition of  
*Benj. Tucker.*

The Committee appointed to consider the Petition of *Benjamin Tucker*, as entered the 28th of *December* last, reported.

Read and accepted, and Ordered, That the Prayer of the Petition be so far granted, as that the Guardians of the *Titticut* Indians pay to the said *Benjamin Tucker*, out of the Money arising by the Sale of *Stephen David's* Land, which was ordered to be sold by this Court at their present Session, the Sum of *eight Pounds and two Pence*, in full Discharge of said *Tucker's* Account for taking the Inquisition &c. mentioned in the Petition. Sent up for Concurrence.

Bill engross'd.

A Bill Intituled *An Act to enable the Justices of the Court of General Sessions of the Peace at their several Sessions in the County of Duke's County, more effectually to regulate and keep up a constant Ferry from Dukes-County to Falmouth in the County of Barnstable.*

Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Bill engross'd.

A Bill Intituled *An Act to prevent Neat Cattle and Horses running at large and feeding on the Beaches and Meadows below the Banks in the Town of Truro, from the House of Joshua Atkins to Bound-Brook; and also on the common Meadow at and above Point-Harbour and River, as far up as the Wading Place by John Lumbarts.*

Read a first, second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

Hearing on  
Mr. *Winslow's*  
Petition &c.

The House according to Order, entered upon the Consideration of the Report of the Committee upon the Petition of *Joshua Winslow, Esq;* and others, and this Court's Committee appointed in the Year 1749. the Parties were admitted on the Floor, and a Hearing had hereon, and then they withdrew.

### *Post Meridiem.*

Bill enacted.

An engross'd Bill Intituled *An Act for dividing the Town of Concord, and making a District of the Northerly Part thereof, by the Name of——*

Read and Resolved, That the Bill pass to be enacted.

Message to  
the Governor.

Ordered, That Mr. *Welles*, Mr. *Allen*, Mr. *Gibbs* of *Newton*, Mr. *Witt*, and Mr. *Bucknam*, be a Committee to wait on His Excellency the Governor, and enquire of him whether he had not Authority to draw upon the proper Officers at Home for the Expence proposed to put the Province into a proper Posture of Defence.

Who returned, that His Excellency informed them, that he had no Orders from His Majesty or the Ministry for said Purpose, other than what was contained in the Earl of *Holderness's* Letter, which he had laid before the House.

A Bill Intituled *An Act in further Addition to the several Laws already in Being for the more speedy finishing the Land Bank or Manufactory Scheme.* Bills engross'd  
Read a second and third Time, and pass'd to be engross'd.

Sent up for Concurrence.

A Bill Intituled *An Act for altering the Times appointed for holding the Superiour Court of Judicature Court of Assize and General Goal Delivery within and for the County of Essex and York, and also for altering some of the Courts of General Sessions of the Peace and Inferiour Court of Common Pleas within and for the Counties of Plymouth, Barnstable and York.*

Read three several Times, and pass'd to be engross'd.

Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

**Mercurii 17. Die Aprilis, A. D. 1754.**

**A**n engross'd Bill Intituled *An Act in Addition to the Act made and passed in the eighth Year of her late Majesty Queen Anne, Intituled An Act for regulating of Drains or Common Shores.* Bill enacted.  
Read and Resolved, That the Bill pass to be enacted.

A Bill Intituled *An Act for levying Soldiers and to prevent Soldiers and Seamen being arrested for Debt.* Bill engross'd.  
Read a second and third Time and pass'd to be engross'd. Sent up for Concurrence.

On a Motion made and seconded, Ordered, That Mr. Gibbs of Newton, have Liberty to bring in a Bill in Addition to an Act Intituled *An Act to prevent Default of Appearance of Representatives &c.* Liberty for a Bill.  
Which he read in his Place, and then laid it on the Table.

A Bill Intituled *An Act in Addition to an Act Intituled An Act to prevent Default of Appearance of Representatives to serve in the General Assembly, made in the fifth Year of King William and Queen Mary.* Bill read.  
Read a first and second Time and committed to be taken into a new Draft.

Daniel Russell, Esq; brought down a Report of a Committee of both Houses appointed in January last, to make Sale of a Tract of Province Land lying between *Sunderland and Miller's River.* Report of a Committee.

Signed *Andrew Oliver*, per Order.

Pass'd in Council, viz. In Council April 16. 1754. Read and accepted, and Ordered, That the Committee give Directions for marking off upon the Plan the 1080 Acres of Land contained therein, which has been heretofore granted by this Court, and that they execute a Deed of the remaining 5850 Acres, taking sufficient Security for the Remainder of the Purchase Money.

Sent down for Concurrence.

Read and concur'd.

The House re-assumed the Consideration of the Report of the Committee on the Petition of *Joshua Winslow*, Esq; and others. Vote relating to the Province Ship.

Read, and thereupon Voted, That it appears that the Committee for hiring out the Province Ship mentioned in the Petition, acted faithfully in their Betrustment; Then the Question was put, *Whether any Grant should be made the Petitioners?* It pass'd in the Negative, and Ordered, That the Petition be dismiss'd.

Ordered,

*Joseph Wilder,*  
Esq; on a  
Committee.

*Ordered,* That *Joseph Wilder*, Esq; be of the Committee on the Petition of *Sylvanus Barrow*, in the Room of *John Ashley*, Esq; who is absent.

Sent up for Concurrence.

Committee  
on Guardians  
Accounts.

*Ordered,* That Capt. *Newhall*, Capt. *Marcy*, and Capt. *Tasker*, be a Committee to examine the Accounts of the Guardians of the *Indians* at *Martha's Vineyard*, and report as soon as may be.

### *Post Meridiem.*

Petition of  
*Jacob Osborn.*

A Petition of *Jacob Osborn*, and others, a Committee of the Prudentials of *Quabin*, as also another Petition of sundry Inhabitants of *Quabin*, both representing the irregular Proceeding of a Parish-Meeting &c. in said *Quabin*, praying the Interposition of this Court.

Read and *Ordered*, That the said Petitions be committed to Col. *Worthington*, who is desired to repair to the said *Quabin*, hear the Petitioners, and others, and report as soon as may be what it may be proper for this Court to do thereon.

Sent up for Concurrence.

Petitions of  
*Samuel Miller*  
and *John*  
*Shepard*, Esqrs;  
bro't down.

*Isaac Royall*, Esq; brought down the Petition of *Samuel Miller*, and *John Shepard*, Esqrs; late Guardians of the *Puncapaug* Indians, praying a Committee of this Court may be appointed to repair to the said Indians Lands, take a View of the Trespasses there committed, hear what further may be offered by said Petitioners relating thereto. Pass'd in Council, viz. In Council *April* 13. 1753. Read and sent down.

Read and *Ordered*, That Col. *Lawrence*, Col. *White*, and *Samuel Welles*, Esq; with such as the honourable Board shall join, be a Committee in the Recess of the Court to hear the Petitioners, and Parties concerned, and report the next *May* Session what may be proper to do thereon.

Sent up for Concurrence.

Bill bro't  
down.

*Thomas Hutchinson*, Esq; brought down a Bill Intituled *An Act for the better securing and rendering more effectual Grants and Donations to pious and charitable Uses, and for the better Support and Maintenance of Ministers of the Gospel, and defraying other Charges relating to the publick Worship*. Pass'd in Council, viz. In Council *April* 16. 1754.

Read a first and second Time, and pass'd to be engross'd

Sent down for Concurrence.

Read a first Time.

Petition of  
*Chambers Russell*,  
Esq; bro't  
down.

*John Cushing*, Esq; brought down the Petition of *Chambers Russell*, Esq; and others, with a Report of a Committee of both Houses.

Signed *John Cushing*, per Order.

Pass'd in Council, viz. In Council *April* 17. 1754. Read and *Ordered*, That the Report be accepted.

Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

Petition of  
*Nath Houghton*  
bro't down.

*Thomas Hutchinson*, Esq; brought down the Petition of *Nathanael Houghton*, and others, with a Report of a Committee,

Signed *Sylvanus Bourn*, per Order.

Pass'd in Council, viz. In Council *April* 17. 1754. Read and accepted, and *Ordered*, That the Prayer of the Petition be granted, and that the whole of the Petitioners mentioned in the Petition, together with



with the Family of the said *Ebenezer Houghton*, be and hereby are to all Intents and Purposes annexed to, and accounted as Part of the Town of *Milton*.

Sent down for Concurrence.

Read and concur'd.

The Committee appointed on the Petitions of *Stephen David*, and *James Thomas*, reported.

Report on  
Petition of  
*Stephen David*  
&c.

Read and accepted, and Ordered, That the Prayer of the Petitioners be so far granted, as that the said *Stephen* and *James*, with the Consent of the Guardians of the *Titticut* Indians, be and hereby are allowed and impowred to sell all their Lands in said *Titticut*, in the Township of *Middleborough*, excepting such Part thereof as the said Guardians shall set off, to be kept and reserved for the Use and Improvement of the said *Stephen David* and *James Thomas*, and their Heirs, and such other of the Descendants of the said *Titticut* Indians as shall have Occasion to dwell or reside there, which Pieces of Land so set off and reserved as aforesaid, shall not be sold or alienated for ever, but be kept for the Use aforesaid ; and that the Money arising by the said Sale shall be apply'd by the said Guardians for the Payment of the said *Stephen David* and *James Thomas*'s just Debts, and the Remainder (if any there be) to be secured by the said Guardians on Interest, and applied for the Relief and Support of the said *Stephen* and *James*, and the other *Titticut* Indians, as the said Guardians shall order and direct ; and also that the said Guardians see that Justice be done the Petitioners in the Sale of said Lands.

Sent up for Concurrence.

*Isaac Royall*, Esq; brought down the Petition of *Samuel Miller* and *John Shepard*, with a Vote of Council thereon. Pass'd in Council, viz. In Council April 17. 1754. Read and non-concur'd, and Ordered, That the Report of the Committee passed on in Council the 24th of January last, be re-committed to the same Committee which made said Report, and that they make such Amendments or Alterations therein as from any new Evidence offered, or upon a further Consideration of the Affair shall appear to them to be necessary, and that they make Report as soon as may be. Sent down for Concurrence.

Petition of  
*Samuel Miller*  
Esq; brought  
down.

Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

## Jovis 18. Die Aprilis, A. D. 1754.

**I** *Saac Royall*, Esq; brought down the Petition of the Inhabitants of the North Parish in *Berwick*. Pass'd in Council, viz. In Council, April 17. 1754. Read and Ordered, That the Prayer of the Petition be granted, and *John Hill*, Esq; is hereby directed and impowred to issue his Warrant to some Inhabitant of said Parish, requiring him to warn and give Notice to the Inhabitants of said Parish qualified by Law to vote in Parish Affairs, to assemble themselves together at such Time and Place in said Parish as by said Warrant shall be appointed, to make Choice of such Officers for said Parish as shall be necessary, and according to Law ought to be chosen yearly for transacting the Affairs of said Parish ; and the said Inhabitants so met are hereby

Petition of  
Inhabitants of  
*Berwick* bro't  
down.

Z z z

impowred

impowred to make Choice of such Officers, and such Officers so chosen (having first taken the Oaths enjoined by Law) shall have the like Power in their respective Offices as by Law they would have had on their being chosen according to the Directions of the Law in the Month of *March*, and qualified as aforesaid. Sent down for Concurrence.

Read and concur'd.

**Bill enacted.** An engross'd Bill Intitl'd *An Act to enable the Justices of the Court of General Sessions of the Peace at their several Sessions in the County of Dukes-County, more effectually to regulate and keep up a constant Ferry from Dukes-County to Falmouth in the County of Barnstable.*

Read and Resolved, That the Bill pass to be enacted.

The Committee appointed on the Petition of *Katharine Sachamus*, reported.

**Report on  
Petition of  
*Kath. Sacha-  
mus.***

Read and accepted, and Ordered, That the Petitioner serve the adverse Party *James Thomas*, with a Copy of this Petition, that he shew Cause, if any he have, on the second Wednesday of the next *May* Session, why the Prayer thereof should not be granted.

Sent up for Concurrence.

**Bill enacted.** An engross'd Bill Intitl'd *An Act impowring the Province Treasurer to borrow Five Thousand three Hundred Pounds, and for applying the same to defrey the Charge of building a Fort on Kennebeck-River, and for sundry other Purposes ordered by this Court.*

Read and Resolved, That the Bill pass to be enacted.

**Bill read.**

*John Cushing*, Esq; brought down a Bill Intitl'd *An Act for levying Soldiers, and to prevent Soldiers and Seamen in His Majesty's Service from being arrested for Debt.* Pass'd in Council, viz. In Council April 17. 1754. Read a first and second Time, and pass'd a Concurrence with the Amendment at A.

Sent down for Concurrence.

Read and concur'd.

**Petition of  
*Benj. Harnden*  
bro't down.**

*Samuel Watts*, Esq; brought down the Petition of *Benjamin Harnden*. Pass'd in Council, viz. In Council. Read and non-concur'd, and Ordered, That this Petition be dismiss'd.

Sent down for Concurrence.

Read, and unanimously non-concur'd, and the House adhere to their own Vote.

Sent up for Concurrence.

**Committee  
for Enquiry.**

On a Motion made and seconded, Ordered, That Col. *Otis*, Mr. *William Bowdoin*, and *Samuel Welles*, Esq; be a Committee to make Enquiry respecting the Money represented by the former Treasurer to be in the Hands of the Executors of Mr. *Plaisted*, deceased, late Sheriff of the County of *York*, and consider what Methods may be taken to secure the same to the Government.

**Committee  
for List.**

Ordered, That the Committee appointed to make up the List of the Travel and Attendance of the several Members of the House at this Session, make the same up including Friday the 19th Instant.

**Officers for  
enlisting Men  
to be under  
Bond.**

Ordered, That the several Persons that shall receive the Monies granted by this Court at this Session, in Order to enlist the Five Hundred Men ordered to go Eastward, shall give Bond with Sureties to the Province Treasurer for their duly applying the Moneys they shall receive, and accounting therefor. Sent up for Concurrence.

**Their Allow-  
ance.**

Ordered, That there be allowed to the Officers that may enlist the Soldiers going Eastward, the Sum of *one Shilling and six Pence* per Man for each Man they shall enlist. Sent up for Concurrence.

The

The Committee appointed on the Accompts of the Guardians of the Indians at *Martha's-Vineyard*, made a verbal Report, that several of the Charges in said Accompt appear very extraordinary, and that no Vouchers appear to support the same. Report on Accompt of Guardians to Indians. Therefore,

*Ordered*, That the said Guardians be directed to appear before this Court, on the second Thursday of the next *May* Session, and that the further Consideration of said Accompt be referred to that Time.

Sent up for Concurrence.

### *Post Meridiem.*

The Committee appointed on the Petition of *Ruth Jeffry*, reported verbally, and thereupon *Ordered*, That the Petition be referred to the next *May* Session. Report on Petition of Ruth Jeffry

A Bill Intituled *An Act in Addition to an Act Intituled An Act to prevent Default of Appearance of Representatives to serve in the General Assembly, made in the fifth Year of King William and Queen Mary*, as taken into a new Draft. Bill read and referred. Read a second Time. And

*Ordered*, That the Bill be referred to the next *May* Session, for further Consideration.

*Ordered*, That the Consideration of the Report of the Committee appointed to consider the Services of the late Treasurer *William Foye*, Esq; ordinary and extraordinary, be referred till to Morrow-Morning ten o'Clock. Report referred.

*John Quincy*, Esq; brought down the Petition of the Town of *Medford*, as entred the 17th of *December* last, with a Report of a Committee of both Houses. Report on Petition of Medford bro't down. Signed *Joseph Pyncheon*, per Order.

Pas'd in Council, viz. In Council *April* 17. 1754. Read and accepted, with the Amendment at A, and *Ordered*, That the Lands within mentioned, together with the Inhabitants thereon, be and hereby are set off from the Town of *Charlestown* to the Town of *Medford* accordingly. Sent down for Concurrence.

Read and concur'd.

*John Quincy*, Esq; brought down the Petition of the first Parish in *Cambridge*, as entred the last Session, and committed to a Committee of both Houses, with a Report of said Committee. Cambridge Petitions bro't down.

Signed *Joseph Pyncheon*, per Order.

Pas'd in Council, viz. In Council *April* 17. 1754. Read and *Ordered*, That the Report be accepted, and that the Petition therein referred to be and hereby is dismiss'd accordingly.

Sent down for Concurrence. Read and concur'd.

*John Quincy*, Esq; brought down the Petition of the first Parish in *Cambridge*, entred the last Session and committed to a Committee of both Houses, with a Report of said Committee.

Signed *Joseph Pyncheon*, per Order.

Pas'd in Council, viz. In Council *April* 17. 1754. Read and *Ordered*, That the said Report be and hereby is accepted, and the Lands and Inhabitants on them therein mentioned, are accordingly set off from the Town of *Watertown* to the Town of *Cambridge*, and to the first Parish in said Town, by the Line in the Report particularly described, to do Duty and receive Privilege there.

Sent down for Concurrence. Read and concur'd.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

*Veneris*



Veneris 19. Die Aprilis, A. D. 1754.

Petition of  
*Jacob Wendell*,  
bro't down.

*Samuel Watts*, Esq; brought down the Petition of *Jacob Wendell*, Esq; with a Vote of Council, viz. In Council April 6. 1754. Read again, together with the Answer of *Oliver Partridge*, Esq; and the Reply of *Timothy Dwight*, Esq; and others, the Committee appointed by the Superiour Court for making the Partition within mentioned, and Ordered, That the Consideration of this Petition be refer'd to the next May Session, and all Proceedings in Consequence of said Partition are further stayed in the mean Time. Sent down for Concurrence.

Read and concur'd with the Amendment at A, viz. dele, and all Proceedings in Consequence of the said Partition are further stayed in the mean Time. Sent up for Concurrence.

Report of a  
Committee  
on Province  
Lands.

The Committee appointed the last Session to enquire into the Circumstances of the Lands belonging to the Province in the County of *Plymouth*, reported, that they have attended that Service in Part, and that they proceeded to *Rocheſter*, and viewed the following Lands.

1. One Hundred and twelve Acres mortgaged by *William Griffeth*, deceas'd, to the Commissioners of the Fifty Thousand Pounds Loan, now in the Possession of sundry Persons; Action was brought for the Recovery of the Possession about two Years since, but no Execution granted thereon, is in general poor Land.

2. One Hundred Acres mortgaged by Lieutenant *Samuel Sprague*, deceased, to the Commissioners of the Hundred Thousand Pounds Loan, and is a small Part inclos'd, the other Wood Land, considerable of it Swamp, and is tolerable good Land, the Widow never quitted her Dower.

3. Ten Acres mortgaged by *John White*, partly inclosed and partly vacant, the whole of small Value, the Wood mostly cut off.

The following Lands in *Pembroke*.

4. Eighty three Acres mortgaged by *John Rogers* of *Pembroke*, to *Essex* Commissioners, the Interest partly paid, is in general poor Land, supposed some Iron Oar there.

The Committee further report, that there are sundry other Lands in that County that pertain to the Province, as they apprehend, and that there are divers other Lands which were mortgaged to the above Commissioners by sundry Persons that have since paid the full Money, but have not been so careful as to get their Mortgages discharged.

Signed *Gamaliel Bradford*, per Order.

Read and accepted, and Ordered, That the Sum of *Five Pounds nine Shillings and eight Pence* be allowed and paid said Committee for their Time, Expences, and Money paid for Copies, in full of their Accompt.

Sent up for Concurrence.

And the said Committee are directed to prepare a proper Vote to be pass'd this Court in Order for securing the Interest of the Province in the Lands that were mortgaged to the Government upon the several Loans.

Commissio-  
ners Instru-  
ctions bro't  
down.

*John Otis*, Esq; brought down the Instructions prepared for the Commissioners chosen to appear at the Interview with the *Six-Nations* at *Albany* in *June* next; as also the Instructions for the Commissioners appointed to settle the Boundary Line between *New-York* and this Government. Pals'd in Council April 18. 1754.

Sent down for Concurrence. Read and concur'd.

*John*

*John Cushing, Esq;* brought down a Bill Intituled *An Act for erecting a new Town within the County of Middlesex by the Name of \_\_\_\_\_* Bill engros'd.  
 Pass'd in Council, viz. In Council April 18. 1754.

Read a first and second Time, and pass'd to be engros'd.

Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

*John Greanleafe, Esq;* brought down a Petition of the President and Fellows of *Harvard-College*. Pass'd in Council, viz. In Council April 18. 1754. Read and Ordered, That the Prayer of the Petition be granted, and that the President and Fellows of *Harvard-College* be and are hereby authorized and impowred (with the Advice & Consent of the Overseers of said College) to sell such Real Estates as shall be recovered on Mortgage, or taken on Execution for any Debt or Debts due to said College, after the Right of Redemption of such Estate shall be expired, and to give a good and sufficient Deed or Deeds in Law for the same, and that the Petitioners have Leave to bring in a Bill accordingly. Petition of President and Fellows of *Harvard-College* brought down.  
 Sent down for Concurrence.

Read and concur'd.

An engros'd Bill Intituled *An Act for altering the Times appointed for holding the Superiour Court of Judicature Court of Assize & General Goal Delivery within & for the County of Essex & York, and also for altering some of the Courts of General Sessions of the Peace & Inferiour Courts of Common Pleas within and for the Counties of Plymouth, Barnstable and York*. Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

An engros'd Bill Intituled *An Act for incorporating the Plantation called Quabbin in the County of Hampshire into a Town by the Name of \_\_\_\_\_* Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

An engros'd Bill Intituled *An Act to prevent Neat Cattle & Horses running at large & feeding on the Beaches & Meadows below the Banks in the Town of Truro, from the House of Joshua Atkins to Bound-Brook; and also on the common Meadow at and above Point-Harbour and River, as far up as the Wading Place by John Lumbarts*. Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

*John Quincy, Esq;* brought down the Petition of sundry Inhabitants of the first Precinct in *Cambridge*, living on the South Side of the River, with a Report of a Committee of both Houses thereon. Petition of Inhabitants of *Cambridge* bro't down.

Signed *Joseph Pyncheon*, per Order.

Pass'd in Council, viz. In Council April 17. 1754. Read, together with the Petition above mentioned, and the Answers thereto, and accepted, and Ordered, That the said Petition be dismiss'd.

Sent down for Concurrence.

Read and Ordered, That the said Petition and Report be referred to the next May Session for further Consideration.

### *Post Meridiem.*

An engros'd Bill Intituled *An Act for Levying Soldiers, and to prevent Soldiers and Seamen in His Majesty's Service from being arrested for Debt*. Bill enacted.

Read and Resolved, That the Bill pass to be enacted.

A a a a

An

Bill enacted. An engros'd Bill Intituled *An Act for erecting a new Town within the County of Middlesex by the Name of ———*  
Read and Resolved, That the Bill pass to be enacted.

Report on  
Petition of  
*Eunice Hooper.* The Committee appointed on the Petition of *Eunice Hooper* of *Marblehead*, Widow, reported.

Read and accepted, and thereupon Voted, That the Sum of *sixty six Pounds thirteen Shillings & four Pence*, be paid out of the Province Treasury, and put into the Hands of the Reverend Mr. *Simon Bradstreet* of *Marblehead*, and by him to be applied as he in his Discretion shall judge best for the Use and Benefit of the Petitioner and her Children.  
Sent up for Concurrence.

Grant to the  
late Treasurer. The House, according to the Order of the Day, entred into the Consideration of the Report of the Committee appointed to consider the Services of the late Treasurer *William Foye*, Esq; ordinary and extraordinary : And thereupon,

Voted, That the Sum of *ninety three Pounds six Shillings and eight Pence* be carried to the Credit of the said *William Foye*, Esq; in full for his ordinary Services as Treasurer.

Ordered, That Col. *Otis*, Mr. *Welles*, and Col. *White*, prepare a proper Vote expressing the Grant made this Day to the late Treasurer *William Foye*, Esq;

Vote relating  
to the late  
Treasurer's  
Grant.

Whereas it is the Determination of this Court of the 18th of January 1754, that the late Treasurer *William Foye*, Esq; should Account with the Province for the Sum of Three Thousand eight Hundred sixty five Pounds thirteen Shillings and two Pence, being the Balance then due from him to the Province (exclusive of Thirty three Thousand three Hundred and fourteen Pounds sixteen Shillings and one Penny, said to be outstanding of the several Assessments, as by a particular Account he tendered the Hon. *Samuel Watts*, Esq; and Committee of the General Court;) since which the said *William Foye*, Esq; has paid towards the abovesaid Balance the Sum of One Thousand five Hundred Pounds to a Committee of the General Court, and has their Receipt for the same, which leaves a Balance in Favour of the Province of the Sum of Two Thousand three Hundred sixty six Pounds thirteen Shillings & two Pence, exclusive of the outstanding Assessments aforesaid: And whereas the said *William Foye* by his Memorial lying before this Court (for the Reasons therein mentioned) has petitioned for further Allowance to be made him:

Therefore,

Voted, That the said *William Foye* is allowed to carry to the Debt of the Province the Sum of *five Hundred ninety three Pounds six Shillings and eight Pence*, in full of his Demand against them, and deduct the same out of the said *Two Thousand three Hundred sixty six Pounds thirteen Shillings & two Pence*, on Condition only that he pay or give Security for the Payment to the present Treasurer for the then remaining Balance, viz. the Sum of *One Thousand seven Hundred seventy three Pounds six Shillings & six Pence*, and also give Security to the present Treasurer to pay all such Sums of Money that is or shall be found in Arrears for any Sum or Sums that has been received of the said Assessments by him or any under him, represented to be outstanding as aforesaid.  
Sent up for Concurrence.

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

*Sabbati*



**Sabbati 20. Die Aprilis, A. D. 1754.**

**T**HE Committee appointed on the Petition of *Jedediah Thomas*,  
reported. Report on  
Petition of  
*Jedediah Thomas*

Read and accepted, and *Ordered*, That the Petitioner serve the  
adverse Parties with a Copy of this Petition, that they shew Cause, if  
any they have, on the second Tuesday of the next *May* Session, why  
the Prayer thereof should not be granted. Sent up for Concurrence.

The Committee appointed on the Petition of *Robert Auchmuty*, as  
entred the sixth of *September* last, and referred, reported. Report on  
Petition of  
*Rob. Auchmuty*

Read and accepted, and *Ordered*, That the Prayer of the Petition  
be so far granted, as that the Petitioner be and hereby is authorized  
and impowred to make Sale of the Estate in said Petition mentioned,  
for the most the same will fetch, and to make a good and sufficient  
Deed or Deeds of the same, he first giving seasonable Notice of the  
Time and Place of Sale, and also giving Caution to the Judge of  
Probate for the County of *Suffolk*, to apply the Produce arising by the  
said Sale, for the Payment of the just Debts of *John Overing*, Esq;  
deceased, so far as the same shall extend, if there be not a Sufficiency  
to pay all the Debts; and the Judge of Probate for the County of *Suffolk*  
is hereby impowred to appoint Commissioners to settle the Claims of  
the several Creditors to said Estate, in Case he shall judge said Estate  
to be Insolvent; and when the Claims to said Estate are settled, to  
give Order to the Petitioner to pay out to each Creditor his Proportion  
agreeable to said Settlement, but in Case said Estate should be  
more than sufficient to pay all the just Debts of said Deceased, that  
the said Judge take Care that the Remainder be secured for the Heirs  
of the said Deceased. Sent up for Concurrence.

*John Wheelwright*, Esq; brought down a Report of a Com-  
mittee of both Houses, respecting the Revival of the Laws, in Conse-  
quence of His Excellency's Speech of the 18th of *January* last. Report of a  
Committee  
for Revival of  
Laws bro't  
down.

Signed *Samuel Watts*, per Order.

With a Vote of Council, viz. In Council *April* 19th 1754.  
Read and *Ordered*, That the Consideration of this Report be referred  
to the Session of the General Court in *May* next.

Sent down for Concurrence. Read and concur'd.

*Ordered*, That Mr. *Gibbs* of *Newton*, go up with a Message to the  
honourable Board, to desire they would dispatch the publick Business  
lying before them, that the Court may rise this Day, if His Excellency  
pleases. Message to  
the Board.

*James Minot*, Esq; brought down the Petition of *Abigail Williams*,  
of *Charlestown*, Administratrix on the Estate of *Thomas Williams*, Jun.  
late of *Charlestown*, deceased. Pafs'd in Council, viz. In Council  
*April* 19th 1754. Read and *Ordered*, That the Prayer of this Pe-  
tition be granted, and that the Petitioner in her said Capacity, be and  
she is hereby authorized to make Sale of the Premises for the Purpos-  
es within mentioned, for the most that may be, having previously  
given publick Notice of such intended Sale, and in Time and Man-  
ner as is directed in the Law touching the Sale of Real Estates by  
Executors and Administrators, she to be accountable to the Judge of  
Probate Petition of  
*Abig. Williams*  
bro't down.

Probate for the County aforesaid for her Proceedings in Relation to the Disposai or Application of the Proceeds of such Sale.

Sent down for Concurrence. Read and concur'd.

Committee  
for List.

*Ordered*, That the Committee appointed to make up a List of the Travel and Attendance of the Members at this Session, also proportion the Grant made the Clerks of the House, agreeable to the Vote of the 28th Day of *December* last.

*Samuel Welles*,  
Esq; added to  
a Committee.

*Ordered*, That *Samuel Welles*, Esq; and Col. *White*, be added to the Committee on the Petition of the Select-Men of the Town of *Boston*.

A Bill Intitled *An Act to appoint Trustees to compleat the Affairs of the fifty Thousand Pounds Loan, and of the One Hundred Thousand Pounds Loan, so called, that are remaining behind in the County of Plymouth.*

Read a first Time.

Report on  
Clerks Grants

The Committee appointed to proportion the Grant made to the Clerks of the House of Representatives the present Year, reported, That Col. *Cotton* attended twenty eight Days, amounting to *seventeen Pounds ten Shillings*; and Col. *Partridge* eighty four Days, amounting to *fifty two Pounds ten Shillings*.

Read and accepted, and *Ordered*, That they receive the Grant made to the Clerks the 28th of *December* last, in that Proportion.

Report on  
Petition of  
*Nath. Hasey*.

The Committee appointed on the Petition of *Nathanael Hasey*, and *John Barker*, as entred the third Instant, reported.

Read and accepted, and *Ordered*, That the Petitioner be allowed and paid out of the publick Treasury the Sum of *twenty Pounds*, in full of their Accompt of Charges and Service as mentioned in the Petition.

Sent up for Concurrence.

Petition of  
*Peter Tufts*  
bro't down.

*John Quincy*, Esq; brought down the Petition of *Peter Tufts*, with a Report of a Committee of both Houses.

Signed *Joseph Pyncheon*, per Order.

Pass'd in Council, viz. In Council *April 17. 1754.* Read and accepted, and *Ordered*, That the said *Peter Tufts*, with his Estate above mentioned, be annexed to the Town of *Medford* accordingly.

Sent down for Concurrence.

Read and concur'd with the Amendment at A.

Sent up for Concurrence.

Vote on late  
Treasurer's  
Accompts.

*Whereas in the Accompt of the late Treasurer William Foye, Esq; exhibited to Samuel Watts, Esq; and others, a Committee of this Court, be represented to be due on Executions that was delivered Mr. Plaisted, late Sheriff of the County of York, the Sum of three Hundred and thirty Pounds, since which his Executors have paid one Hundred & fourteen Pounds, so that there remains due on said Executions, two Hundred and sixteen Pounds.*

Therefore,

*Voted*, That the present Treasurer be directed to issue out new Executions for the said Sum of *two Hundred and sixteen Pounds*, that the same be paid into his Hands as soon as possible.

Sent up for Concurrence.

Report on  
Petition of  
*Joseph Metcalf*

The Committee appointed on the Petition of *Joseph Metcalf*, reported. Read and accepted, and *Ordered*, That there be allowed and paid out of the Province Treasury to the Petitioner, the Sum of *one Pound eleven Shillings and four Pence*, in full for his Wages mentioned in his Petition.

Sent up for Concurrence.

*Ordered*,

Ordered, That Mr. Gibbs go up to the honourable Board with a Message, to enquire whether they have passed on the Grant to the late Treasurer *William Foye*, Esq; Message to the Board.

Who returned that he was informed that they had non-concur'd the Vote of the House.

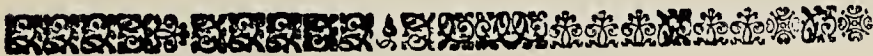
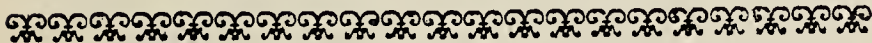
The Committee appointed on the Petition of the Select-Men of the Town of *Boston*, reported. Report on Petition of Select-Men of Boston.

Read and accepted, and Voted, That the Guardians of the Heirs of Mr. *Jeremiah Allen*, being Minors, be impowred to convey to the Town of *Boston* that Part of the Land requested belonging to said Heirs, at a Price that shall be agreed on with the Select-Men of *Boston*, and also Mr. *William Parkman*, Attorney to Mr. — *Maddocks*, be likewise impowred to convey to the Town of *Boston* the Land requested belonging to said *Maddocks*, at a Price that shall be agreed on, both Pieces of Land always to lie for common Use, as Highway; and the said Conveyances are hereby declared shall be good and valid to all Intents and Purposes and Constructions whatsoever.

Sent up for Concurrence.

The Committee appointed to prepare a List of the Travel and Attendance of the Members of the House the present Session, reported, Report on the List that they had prepared the same, which was read and approved of by the House, and the Clerk was directed to certify it accordingly.

Then the House adjourn'd 'till Monday next three o'Clock Afternoon.



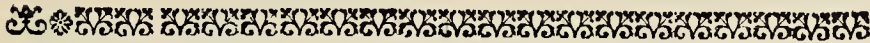






# VOTES

Of the House of Representatives.



Lunæ 22. Die Aprilis, A. D. 1754.

*Bill Intituled An Act to appoint Trustees to compleat the Affairs of the £.50,000 Loan, and of the £.100,000 Loan, so called, that are remaining behind in the County of Plymouth.* Bill read.  
Read a second Time.

*Ordered, That Capt. Joseph Williams go up to the honourable Board to enquire whether they have passed upon the Bill Intituled An Act in Addition to the several Acts for the speedy finishing the Land Bank or Manufactory Scheme.* Message to the Board.

Who returned and informed the House that the Board had referred the Consideration thereof to the next May Session.

*Ordered, That Mr. Secretary be directed to attend the House, in order to enquire of him whether the Governour has signed the two engross'd Bills erecting Nichawaog and Quabin into Townships.* Secretary directed.

Who accordingly attended, and informed the House that they were not signed.

*Ordered, That Mr. Welles, Col. Otis, and Col. White, be a Committee to prepare a proper Vote to be passed by this Court with Relation to the several Loans put out by this Government.* Mr. Welles, &c a Committee

*Samuel Watts, Esq; came down from the honourable Board, informing that they had not any Thing lying before them, and that they desired to know if the House had any Thing to send up.* Message from the Board.

*Ordered, That Mr. James Bowdoin go up with a Message to the honourable Board, to desire they would send down the Grant made to the late Treasurer William Foye, Esq; by the House the 19th Instant.* Message to the Board.

*John Otis, Esq; brought down the said Grant.*

*Voted, That Samuel Welles, Esq; Mr. James Russell, Henry Gibbs, Esq; of Salem, Col. Partridge, Col. Bradford, Col. Otis, Col. White, Mr. Bradbury, and Col. Winslow, with such as shall be joined by the honourable Board, be a Committee, and any three of them to be a Quorum, to enquire into the Circumstances of the Loan of £.50,000 Bills of Credit issued by this Court Anno 1714, and of another Loan of £.100,000 Anno 1716, as also of the Loan of £.50,000 Anno 1720, several Loans.*

C c c c

and

and likewise of the Loan of £.60,000 *Anno* 1727, and lay a full and exact State and Account of the Lands forfeited, and now belonging to the Province, and of the Ballances due where Lands were not mortgaged as Security, and the said Committee or a Quorum thereof be impowred to send for Persons and Papers..

Sent up for Concurrence.

Debate relating to a Grant to the late Treasurer.

The House re assumed the Consideration of the Grant made to the late Treasurer *William Foye*, Esq; and after a large Debate had thereon, the Question was put, *Whether the House would make any Addition to said Grant ?* It pass'd in the Negative.

### Yeas.

Yeas & Nays. *Samuel Welles*, Esq;  
*James Allen*, Esq;  
*Mr. James Bowdoin*,  
*Capt. Joseph Williams*,  
*Mr. Jacob Cushing*,  
*Mr. William Bowdoin*,  
*Henry Gibbs*, Esq;  
*Mr. Benjamin Newball*,  
*John Tasker*, Esq;  
*Mr. William Fletcher*,  
*David Phips*, Esq;  
*Mr. James Russell*,  
*Ebenezer Nichols*, Esq;  
*Henry Gibbs*, Esq;  
*Joseph Buckminster*, Esq;  
*Mr. Elisha Jones*,  
*Samuel Livermore*, Esq;  
*Mr. Gideon Lyman*,  
*Thomas Steel*, Esq;  
*Gamaliel Bradford*, Esq;  
*John Winslow*, Esq;  
*Capt. Nathanael Sole*,  
*Mr. Nathanael Wells*.

### Nays.

*Robert Spurr*, Esq;  
*Mr. Joseph Bent*,  
*Mr. John Ruggles*,  
*Capt. Thomas Pratt*,  
*Joseph Richards*, Esq;  
*Mr. Peter Coolidge*,  
*Mr. John Goldsberry*,  
*Mr. Jonathan Adams*,  
*Joseph Gerrish*, Esq;  
*Joseph Frie*, Esq;  
*Mr. Thomas Lancaster*,  
*Nathanael Peaslee*, Esq;  
*Mr. Isaac Merrill*,  
*Capt. Benjamin Milliken*,  
*Mr. Jonathan Foster*,  
*Mr. Elijah Porter*,  
*Mr. John Hunt*,  
*Mr. Edward Walker*,  
*Mr. John Noyce*,  
*Capt. Enoch Kidder*,  
*Mr. Ephraim Spaulding*,  
*Isaac Coolidge*, Esq;  
*Joses Bucknam*, Esq;  
*Mr. Nathanael Russell*,  
*Oliver Partridge*, Esq;  
*William Ayers*, Esq;  
*William Downe*, Esq;  
*Capt. Nathan Tyler*,  
*Capt. Timothy Brigham*,  
*Mr. Josiah Taft*,  
*Capt. Josiah Edson*,  
*Mr. Israel Turner*,  
*Mr. Isaac Bonny*,  
*Capt. Nathanael Smith*,  
*David Stockbridge*, Esq;  
*Mr. Jacob Porter*,  
*James Otis*, Esq;  
*Samuel White*, Esq;  
*Mr. Thomas Cobb*,  
*Mr. Benjamin Day*,  
*Jedediah Prebble*, Esq;  
*Enoch Coffin*, Esq;

Then the House adjourn'd 'till to Morrow Morning nine o'Clock.

*Marris*



**Martis 23. Die Aprilis, A. D. 1754.**

**O** *Ordered*, That the Committee chosen this Session to make up the Lift of the Travel and Attendance of the several Members of the House, make up an additional Lift of the Attendance of the Members since the Termination of the Lift first mentioned. Committee for Lift.

*Voted*, That the Sum of *fifty Shillings* Part of the Sum voted to Col. *Cotton* for his Service as Clerk to this House, be taken from the Sum ordered to be paid to said Col. *Cotton*, and that it be allowed to Col. *Richards*, it appearing that said Col. *Richards* served as Clerk so long as to intitle him to that Sum.

*Ordered*, That the Inhabitants of the Town of *Charlestown* set off from said Town, and annexed to the Town of *Medford*, by an Order pass'd this Court the present Session, pay the several Sums already assessed upon them, whether Town County or Province Taxes, in the same Manner as tho' the said Order had not passed. Inhabitants set off.

Sent up for Concurrence.

*Ordered*, That the Inhabitants of the Town of *Watertown* set off from said Town, and annexed to the Town of *Cambridge*, by an Order passed this Court the present Session, pay the several Sums already assessed upon them, whether Town County or Province Taxes, in the same Manner as tho' the said Order had not passed; and that the Proportion of the Province Tax which the said Inhabitants heretofore paid in the Town of *Watertown*, shall be taken off from said Town, and added to the Town of *Cambridge* in the next Province Tax. Inhabitants set off.

Sent up for Concurrence.

*Ordered*, That Col. *Partridge* go up to the honourable Board, and inquire, whether they had passed upon the Grant made to the late Treasurer *William Foye*, Esq; as last sent up. Message to the Board.

Who returned, that the Secretary informed him, that the Board had it then under Debate.

*Sylvanus Bourn*, Esq; came down with a Message from the honourable Board, desiring that the Memorials of the late Treasurer *William Foye*, Esq; might be sent up. Message from the Board.

Which were sent up accordingly.

### *Post Meridiem.*

*Ordered*, That Col. *Olis* go up to the honourable Board, and inquire whether they had passed on the Grant made the late Treasurer *William Foye*, Esq; as last sent up. Message to the Board.

Who returned, that the Secretary informed him, that the Board had non-concurred the Vote of the House.

The Committee appointed to prepare a Lift of the Attendance of the Members since Saturday last, reported that they had prepared the same. Which was read and approved by the House, and the Clerk was directed to certify it accordingly. Report on the Lift.

*Whereas it appears by the Determination of this Court of the 18th of January 1754, that the late Treasurer William Foye, Esq; should Account with the Province for the Sum of Three Thousand eight Hundred sixty* Order on the late Treasurer's Affairs.

sixty six Pounds thirteen Shillings and two Pence, *being the Ballance then due from him to the Province, exclusive of Thirty three Thousand three Hundred and fourteen Pounds sixteen Shillings & one Penny, said to be outstanding of the several Assessments, as by a particular Account he tendered to the Hon. Samuel Watts, Esq; and Committee of the General Court ; since which the said William Foye, Esq; has paid towards the above Ballance the Sum of One Thousand five Hundred Pounds to a Committee of the General Court, and has their Receipt for the same ; which leaves a Ballance in Favour of the Province of the Sum of Two Thousand three Hundred sixty six Pounds thirteen Shillings and two Pence :*

Therefore *Voted*, That the present Treasurer be directed to bring forward an Action in Behalf of the Province, against the said *William Foye, Esq;* for the said Ballance due from him to the Province for the said Sum of *Two Thousand three Hundred sixty six Pounds thirteen Shillings and two Pence*, and to pursue the same to final Judgment and Execution.

Sent up for Concurrence.

All Matters  
refer'd.

*Voted*, That all Matters that had Day at this Sitting and not passed on, have the same Day at the next *May Session*.

Sent up for Concurrence.

Message to  
the Board.

*Ordered*, That *Col. Richards* go up with a Message to the honourable Board, to enquire whether they had dispatched all Matters lying before them.

Who returned, he was informed by the Secretary, that they had nothing lying before them.

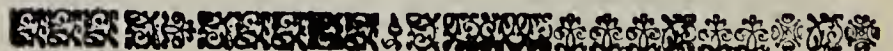
Message to His  
Excellency.

*Ordered*, That *Col. White, Mr. Allen, Col. Richards, Mr. Pratt, and Mr. Gibbs of Salem*, wait on His Excellency the Governour, and desire him that he would give Order that the Court may rise, as they have dispatched all Matters now lying before them.

His Excellen-  
cy's Dissolu-  
tion of the  
Court.

Mr. Secretary came down from His Excellency the Governour with the following Message, *viz.*

*Gentlemen*, It is His Excellency's Pleasure that this Great and General Court be Dissolved ; and the Members thereof are discharged from any further Attendance.





His Excellency's SPEECH to both Houses of the 28th of *March*,  
is as follows, viz.

*Gentlemen of the Council and House of Representatives,*

HAVING received in the Recess of the Court some Dis-  
patches, which nearly concern the Welfare of the Governor's  
Province; I tho't it necessary to require a general SPEECH to  
Attendance of the Members of both Houses both Houses  
at this Meeting of the Assembly, that the Matters March 28th.  
contain'd in them may have as full and speedy a  
Consideration, as the Importance of them seems to Demand.

By Accounts sent from *Richmond Fort*, and Declarations made be-  
fore me and His Majesty's Council, by two of the Settlers at *Frankfort*,  
upon the River *Kennebeck*, I am inform'd, that in the Summer be-  
fore last, a considerable Number of *French* settled themselves on a  
noted Carrying-Place, made use of by the several *Indian Tribes* in-  
habiting that Part of the Country, in their Passage to and from *Ca-*  
*nada*, which separates the Head of the aforesaid River from that of  
the River *Chaudiere*, which last falls into the great River *St. Law-*  
*rence*, at four Miles and an half above the City of *Quebec*. a misinformation.

And I have received further Intelligence, that the *French* are set-  
tled very thick for twelve Miles on each Side of the said River *Chau-*  
*diere*, at about thirty Miles distance above the Mouth of it, and  
in the Mid-way between the River *St. Lawrence* and the before men-  
tioned Carrying-Place: And the Captain of *Richmond Fort* in his  
Letter dated 23d of last *January* informs me, That the *Norridgwalk*  
*Indians* have declared to him, " That they had given the new *French*  
Settlers upon the Carrying-Place, Liberty to Hunt any where in  
that Country, as a Recompence for the great Service they will be  
of to them, in a Time of War with the *English*, by supplying them  
with Provisions and Military Stores."

The same Officer further acquaints me in another Letter dated  
*February* 11th. That several *Indians* of the *Arressigunticook* and some  
of the *Penobscot* Tribe, amounting, together with the *Norridgwalk*  
*Indians*, to Sixty effective Men, besides Boys, capable of bearing  
Arms, were then lately arrived in the Neighbourhood of the Fort  
under his Command: And that tho' they assembled there on Pre-  
tence of Writing a joint Letter to me, as they have done, yet he had  
Reason to expect from their haughty insolent Behaviour, the repeat-  
ed open Threats of some of them, and the private Warnings from  
others, that as soon as the Rivers should be free from Ice, they would  
commit Hostilities against the *English* upon that and neighbouring  
Rivers; in which they intimate, they are to be assisted by a Num-  
ber of *French* from *Canada*, disguis'd like *Indians*: And in another  
Letter dated the 10th of *March* he acquaints me, that the *French*  
Priest, Missionary to the *Indians* of the River *Kennebeck*, appeared to  
him to be continually using Artifices to excite the *Indians* to prevent  
our Settlements from being extended higher up it; to set them at  
Variance with the *English*; and dispose them to a War with them  
this Spring.



' Most of these Accounts are confirm'd by the Declarations of the  
 ' before mentioned Settlers at *Frankfort*, with the additional Circumstan-  
 ' ces, that the *French* Priest had been very inquisitive after *Roman* Catho-  
 ' lic Families in that Settlement ; and used Endeavours to draw off some  
 ' of the Inhabitants into the Service of the *French* ; particularly for  
 ' building a Chapel & a Dwelling-House for himself upon that River,  
 ' about three or four Miles above *Cushana*, and at the Distance of 24  
 ' from *Frankfort* ; and been very industrious to perswade them that it  
 ' was within the *French* Territories : And the *Indians* have further  
 ' declared, that they have been instigated by the Governour of *Ca-*  
 ' *nada* to hinder the *English* from settling upon any Part of the River ;  
 ' which is strongly confirm'd by a Deposition of Capt. *Litbgow*, made  
 ' in *August* last.

' Upon this Occasion, *Gentlemen*, I sent as soon as might be, with  
 ' the Advice of His Majesty's Council, the necessary Reinforcements  
 ' of Men and Stores to all the Eastern Forts ; issu'd Commissions for  
 ' raising six Independent Companies in the Townships and Districts  
 ' next adjacent to them, with Orders for the Officers and Soldiers to  
 ' hold themselves in constant Readiness to march upon any Alarm, to  
 ' the Succour of any neighbouring Fort or Settlement which may be  
 ' attack'd ; to cut off the Enemy in their Retreat ; and in case that  
 ' they shall find that the *Norridgewalk* *Indians* have committed Hosti-  
 ' lities, to break up their Villages and Settlements upon *Kennebeck*,  
 ' and to kill or captivate all they can meet with of their Tribe : I  
 ' likewise ordered an Officer, commissioned by me for that Purpose,  
 ' to proceed by the first Opportunity to the suppos'd Place of the new  
 ' *French* Settlement, in order to discover the Certainty and Circumstan-  
 ' ces of it ; and to require the *French* Commandant to retire and with-  
 ' draw the People under his Command from that Spot, as being under  
 ' His Majesty's Dominion, and within the Limits of this Government.

' And I doubt not, *Gentlemen*, from your distinguish'd Zeal for the  
 ' Defence of His Majesty's Territories, and the Protection of his Sub-  
 ' jects within this Government upon all Occasions, but that upon a  
 ' Refusal of the *French* to comply with that Requisition, you will make  
 ' sufficient Provision for enabling me to compel them with the arm'd  
 ' Force of the Province, to free it from their Incroachments.

' The Concern, *Gentlemen*, which you express'd in your Message to  
 ' me at our Meeting in *December* last, upon your Apprehensions of the  
 ' imminent Danger which the Province was in, from the *French*'s having  
 ' fortify'd themselves upon the River of *St. John*'s, close to our Bor-  
 ' ders, leave me no Room to doubt of your being sensible of the fatal  
 ' Consequences in the general that must attend Incroachments, which  
 ' it seems plain they are now pushing into the Heart of the Province,  
 ' (as the General Court in a Vote pass'd the 16th of *January* 1749,  
 ' justly calls the River *Kennebeck*) unless they are timely removed.

' But it may not be improper for me to observe to you in particu-  
 ' lar, that it appears from an Extract which I have lately caus'd to be  
 ' made of some original Letters taken among Father *Ralle*'s Papers at  
 ' breaking up the Indian Settlement at *Norridgewalk* in 1724, and  
 ' which pass'd between him, Father *Lauverjat* Priest of the *Penobscot*  
 ' Tribe, and Father *La Chasse* Superior of the Jesuits at *Quebec*, dur-  
 ' ing the Indian War in the Years 1723 and 1724 ; That the Head of  
 ' *Kennebeck* River, near which the Indians have declared the *French*  
 ' have made a New Settlement, was the Centre of most of the Tribes

' then

[*St. John*]

' then at War with us, and the general Rendezvous of all that came  
 ' to the Eastern Parts: The *Hurons*, the *Iroquois* of the Falls of *St.*  
 ' *Lewis*, the Tribe of *St. Francis*, (or *Arresigunticooks*) and the Indians  
 ' of the *Seignorie* (as the *French* call them) of *Becancour* on the one  
 ' Hand, us'd to assemble with the *Norridgewalks* here, from their several  
 ' Settlements, and the *Penobscotts* from their River, on the other :  
 ' Here they held their Consultations, and from hence issu'd out in  
 ' Parties united or separate, as best suited them, against the *English* ;  
 ' hither they retired after Action, and brought their Wounded for Relief ;  
 ' and here, if they met with Provisions, they far'd well ; if not,  
 ' they suffer'd greatly for want of them.

[*Becancour*]

' It appears further from these Letters, that the several *French*  
 ' Missionaries chiefly conducted and managed this War : that they had  
 ' the Care of supplying the *Indians* with the necessary Provisions and  
 ' Stores for carrying it on ; were employed to make them persevere  
 ' in it, and to push them on to their boldest Enterprizes ; that  
 ' they transmitted Accounts of their Proceedings to the Government  
 ' of *Canada* thro' the Hands of the Superiour of the *Jesuits* at *Quebec*,  
 ' thro' whom likewise they received their Directions from thence ; as  
 ' the Governour of *Canada* seems to have done his, upon this Occasion,  
 ' from the Court of *France*.

' And I would further observe, that this Rout affords the *French*  
 ' a shorter Passage for making Descents from *Quebec* upon this Province,  
 ' and destroying the whole Province of *Maine*, with the King's  
 ' Woods there, and in the Government of *New-Hampshire*, than any  
 ' other whatever from *Canada*.

' These Advantages, which the Possession of this River would give  
 ' the *French* over this Province, make it easy to account for their constant  
 ' Endeavours ever since the Treaty of *Breda*, at which it was determined  
 ' in the most solemn Manner, between the two Crowns, that  
 ' the River *Pentagoet* or *Penobscot*, was the Boundary between *New-*  
 ' *England* and *Accadia* or *Nova-Scotia*, to extend their Limits by Claim  
 ' upon all Occasions, (as in Fact they have done) to the Eastern Side  
 ' of the River *Kennebeck* ; tho' they never attempted, until within these  
 ' few Years, to pass over the River *St. Lawrence*, within the Extent of  
 ' this Province.

[*Accadia*]

' I am satisfy'd it is needless for me, *Gentlemen*, to urge any Thing  
 ' more to shew how necessary for the Safety of this Government it is,  
 ' that we should secure to ourselves the Possession of this important River  
 ' against the Incroachments of the *French* without Delay : And I  
 ' think the present Situation of Affairs in that Country must convince  
 ' you, how vain a Scheme it would now be to have your sole Dependence  
 ' for gaining this Point upon making annual Presents to *Indians*,  
 ' who appear to have enter'd into an offensive Alliance with the *French*  
 ' against you ; and have shewn evident Marks of a Disposition to put  
 ' the River into their Power.

' How different are such Proceedings from those of the *French* ?  
 ' Whilst we have been suing in vain to a few *Indians* for their Permission  
 ' to settle Lands within the undoubted Limits of this Province,  
 ' and which themselves can't deny to have been purchased of their Ancestors ;  
 ' and have in Effect promis'd them a Yearly Tribute to restrain them  
 ' from committing Acts of Hostility against us ; the *French*  
 ' have marched Armies into distant Countries of numerous and powerful  
 ' Tribes, which without any Colour of Right they have invaded ;  
 ' They

‘ They have forbid them to make further Grants of any of their Lands to the *English*, and have built and are still building strong Forts with an avow’d Intent to drive them off from the Lands already granted to them, and to exclude them from all Commerce with those *Indians* whom they have threatned with Destruction, if they shall presume to interfere in their Favour.

‘ It is Time, *Gentlemen*, for you to desist from having your chief Dependance upon temporary Expedients, which seem rather to have expos’d the Government to the Contempt of these *Indians*, than to have conciliated their Friendship to it ; and to take Counsel in Part from the Policy of our Neighbours.

‘ Vigorous Measures against the *French*, in Case they shall refuse to quit his Majesty’s Territories within this Government, without being compell’d to it by Force ; building a strong Fort near the Head of the River *Kennebeck*, above the Settlements of the *Norridgewalk Indians*, and pushing on our own Settlements upon it, in a defensible Manner, would effectually rid the Province of the Incroachments of the Former, and either hold the Latter in a due Dependance upon us, or oblige them to abandon the River.

‘ And further, by making ourselves, through this Means, Masters of the Pass, which was the general Place of Rendezvous during the *Indian War* in 1723 and 1724, of all the Tribes engaged in it, both in their Incursions and Retreats, we should have it in our Power to curb all those *Indians* for the future ; and in a great Measure prevent them from attempting to make Depredations in our exposed Settlements.

‘ I must further observe to you upon this Occasion, *Gentlemen*, how dangerous Delays to make suitable Preparations for removing the *French* would be.

‘ How practicable was it at *first*, to have put a Stop to their Proceedings in building their Fort at *Crown-Point* ? And you can’t but remember what mischievous Effects of the Neglect to do that in the *Beginning*, were felt by this and the Province of *New-York*, in the Ravages which they suffer’d from thence during the late War.

‘ A short Delay to dislodge them from their Incroachments near the River *Kennebeck*, might give them an Opportunity of making themselves Masters of that River likewise in the End ; and in that Case we may expect soon to see another Fort built by them near the Mouth of it, and the *French* in Possession of all the Sea Coast, between that and the River *St. Johns*.

*Gentlemen of the Council and House of Representatives,*

‘ I hope you will proceed in the Consideration of these Matters with that Unanimity and Dispatch which his Majesty’s Service and the Safety of the Province requires ; And that you, *Gentlemen of the House of Representatives*, will make the necessary Supplies.

*Council-Chamber, March*

*W. SHIRLEY.*

28th 1754.

His Excellency’s SPEECH to both Houses of the 2d of *April*, is as follows, *viz.*

*Gentlemen of the Council and House of Representatives,*

Governor’s  
SPEECH to  
both Houses  
April 2d. { **T**HE Occasion of my speaking to you now is to acquaint you, ‘ That I received a Letter from the Right Honourable the Lords Commissioners for Trade and the Plantations, signifying to ‘ me

[*St. John*]



‘ me, that His Majesty had been pleased to order a Sum of Money  
 ‘ to be issued for Presents to the Six Nations of Indians, and to direct  
 ‘ the Governor of *New-York*, to hold an Interview with them for deli-  
 ‘ vering those Presents at such Place and Time as he shall appoint :  
 ‘ And I am directed to lay this Matter before you, and to recommend  
 ‘ to you to make a proper Provision for appointing Commissioners  
 ‘ from this Government to meet Commissioners of *Virginia*, *Maryland*,  
 ‘ *Pennsylvania*, *New-Jersey*, and *New-Hampshire*, (to the respective  
 ‘ Governors of which Colonies their Lordships have wrote to the same  
 ‘ Effect) ; as also for making such Presents as hath been usual upon  
 ‘ the like Occasions.

‘ I have likewise to acquaint you ; That I find by a Paragraph  
 ‘ of their Lordships Letter upon this Occasion to the Governor of  
 ‘ *New-York*, which His Honour Lieutenant-Governor *De Lancey*, Com-  
 ‘ mander in Chief of that Province, hath communicated to me, that  
 ‘ he is therein directed to take Care that all the Provinces be (if practi-  
 ‘ cable) comprized in One General Treaty to be made in His Ma-  
 ‘ jesty’s Name : And that Mr. *De Lancey* hath given me Notice,  
 ‘ That he hath appointed the said Interview to be held at the City of  
 ‘ *Albany* on the Fourteenth of *June* next.

‘ I am persuaded, *Gentlemen*, I need not use Arguments to con-  
 ‘ vince you, that it is of very great Consequence to the Interest of His  
 ‘ Majesty’s Colonies upon this Continent at all Times, that as many  
 ‘ of the Tribes of Indians inhabiting it, as may be (those of the Six  
 ‘ Nations more especially) should be kept in Friendship with the Eng-  
 ‘ lish, and a Dependance upon the Crown of *Great-Britain* ; and  
 ‘ that as free a Commerce and Intercourse should be maintained with  
 ‘ them as is possible : But I think it my Duty at this Time to enter  
 ‘ into a particular Detail of these Matters.

‘ At the Treaty of *Utrecht*, which is confirm’d by that of *Aix-la-  
 ‘ Chapelle*, these were look’d upon to be Points of that Importance to  
 ‘ the *British* Interest in *North-America*, that Care was taken in that  
 ‘ Treaty to have the Indians of the Six Nations acknowledged by  
 ‘ *France* to be subject to the Dominion of *Great-Britain* : and it is  
 ‘ therein expressly stipulated, that the *French* shall give no Hindrance  
 ‘ or Molestation either to them, or the other Natives of *America*, who  
 ‘ were Friends to the English ; it is also stipulated that the Subjects  
 ‘ of both Crowns should enjoy full Liberty of going or coming [upon  
 ‘ this Continent] on Account of Trade ; and that the Natives of the  
 ‘ Countries (upon it) should, with the same Liberty, resort as they  
 ‘ please, to the *British* and *French* Colonies, for promoting Trade on  
 ‘ the one Side and the other, without any Molestation or Hindrance  
 ‘ either on the Part of the *British* Subjects or of the *French*.”

‘ With Regard to the Indians of the Six Nations in particular, I would  
 ‘ observe to you, that according to an Account given by them in an open  
 ‘ Council at *Turpehawkie*, at their Return from the Indian Treaty at  
 ‘ *Philadelphia*, in 1742, of the several Indian Nations which have been  
 ‘ conquer’d by them, and are now in their Alliance, and trade with the  
 ‘ *English*, and which seems to be depended upon, the Warriors be-  
 ‘ longing to those Tribes may be computed to amount to 16000 or  
 ‘ 17000 at least ; and one who must be a good Judge of the Strength  
 ‘ of the Five Nations themselves, upon being interrogated by me con-  
 ‘ cerning the Number of their fighting Men, made Answer, “ That  
 ‘ he did not know their Number, but well knew that they are a nume-  
 ‘ rous

“ rous People, a terrible Body of Men, and able to burn all the Indians in *Canada*.”

‘ You must be sensible, *Gentlemen*, what frequent Attempts, the *French* have made from Time to Time to draw off the Six Nations from the *English* Interest into their own; and from the repeated Advices, we have received from His Majesty’s Southern Colonies on this Continent, what Efforts they have lately exerted to win over their Allies, together with the other numerous Tribes inhabiting the vast Country lying along the great Lakes and Rivers, and to the Westward of the *Apalachean*-Mountains, (all which may be reckon’d to exceed double the Number of the Indians of the Six Nations and those in their Alliance); as also what Measures the *French* are taking to exclude the *English* from all Trade and Commerce with those Indians.

‘ To compass this, they have in manifest Violation of the aforesaid Treaties, enter’d the Country of these Indians upon the Back of His Majesty’s Southern Colonies, and within the Limits of his Territories, with large Bodies of Troops, seiz’d the Effects, and captivated the Persons of the *English* whom they have found trading there, absolutely deny’d their Right to Traffick with those Nations, and erected a Line of Forts upon the Lakes and Rivers from *Canada* to *Mississippi* to cut off all Commerce and Intercourse between them; they have committed Hostilities against some of the Tribes in Friendship with the *English*, engag’d others to take up the Hatchet against them, and threaten’d those with Destruction who shall interfere in their avowed Design to drive the *English* out of that Country.

‘ Should the Indians of the Six Nations at this Conjunction desert our Alliance, and go over to the French, how fatal an Influence must such an Event have upon the *English* Interest; On the other Hand, should proper Measures be taken to attach them firmly to it, how greatly would it disappoint and check the present Scheme and Enterprises of our dangerous Neighbours?

‘ It is well known how wavering the Disposition of these Indians hath of late been; and how visibly they have abated their former Enmity to the French; and we can’t be at a Loss to discover the real Causes of it. Nothing could at this Time so effectually reclaim them to their old Alliance with us, as the Measures directed to by their Lordships of the Board of Trade, *One general League of Friendship, comprizing all His Majesty’s Colonies, to be made with them in His Majesty’s Name*; with Stipulations to build such Forts in their Country as they shall choose, and may be judg’d necessary for their Shelter and Protection against the *French*.

‘ Such a Coalition of the Colonies for their Defence would be a convincing Proof to them, that they might safely depend upon His Majesty for Protection, and confirm them in their antient Alliance with the *English*; and how necessary such a Confederacy of the Colonies for their Safeguard is, may appear to you from the following Account given by an Indian Trader, who, for more than 20 Years had carried on a Trade among the different Nations of Indians some hundred Miles West of *Philadelphia*, the Truth of which I’ve great Reason to depend upon, *viz.* “ That in November 1750, he, with sundry other Traders of the *English*, was taken Prisoners by some *Frenchmen* belonging to a Fort upon the River *Ohio*, and from thence was transported from Fort to Fort to

“ *Quebec*,

“ *Quebec*, by Means of which Forts and the Lakes, the *French*, he says,  
 “ have a Communication open from *Quebec* to *Mississippi* ; that they  
 “ have Forts there within 20 or 30 Miles distance of each other, with  
 “ a Command of from 10 to 20 Men in each ; in which he says, they  
 “ put the Squa’s and Papoofes of the Indians in Alliance with them  
 “ for Protection, whilst the Men go out to War, and there keep them  
 “ until the Men return ; and, he observes, that by Means of these  
 “ Forts they bid fair in a little Time to seduce the Indians in Alliance  
 “ with the *English*, as the *English* do not afford the same Protection to  
 “ their Women and Children whilst the Men are gone to War, as the  
 “ *French* do.”

‘ I would therefore earnestly recommend to you, *Gentlemen of the*  
 ‘ *House of Representatives*, to make suitable Provision for sending Com-  
 ‘ missioners on the Part of this Government, to join in the approach-  
 ‘ ing Interview at *Albany*, duly authorized to concert such Measures  
 ‘ in Conjunction with the Governments of *New-York*, and Commission-  
 ‘ ers of the before-mentioned Governments, as shall be judg’d proper  
 ‘ to be enter’d into for cementing a firm League of Friendship with  
 ‘ the Indians of the Six Nations, and retaining them in the *British* In-  
 ‘ terest ; and to give those Commissioners full Powers to agree with  
 ‘ the other Governments upon the Quota of Money and Men to be  
 ‘ furnish’d by the Province for this Service.

‘ I have taken the Liberty to propose the same Thing to be done  
 ‘ by the other Governments concerned in this Interview, in my Letters  
 ‘ to His Majesty’s Governors ; and have Reason to hope they will pro-  
 ‘ mote so salutary a Measure.

‘ Such an Union of Councils, besides the happy Effect it will pro-  
 ‘ bably have upon the Indians of the Six Nations, may lay a Foun-  
 ‘ dation for a general One among all His Majesty’s Colonies, for the  
 ‘ mutual Support and Defence against the present dangerous Enter-  
 ‘ prizes of the *French* on every Side of them.

‘ I have already let you know, *Gentlemen*, His Majesty’s Orders to  
 ‘ me and His other Governors upon this Point, signified to us in the  
 ‘ Earl of *Holderneffe*’s Letter of the 28th of last *August* ; and how  
 ‘ necessary it is that such an Union should be immediately form’d in  
 ‘ the Common Cause, whoever takes a Survey of the whole Extent of  
 ‘ the Invasions and Incroachments which the *French* are surrounding  
 ‘ His Majesty’s Territories upon this Continent with, from their most  
 ‘ *Eastern* to their most *Western* Limits, must soon be convinc’d.

‘ Close on the Back of the Settlements of His Majesty’s Southern  
 ‘ Colonies they are joining *Canada* to the *Mississippi* by a Line of Forts  
 ‘ and Settlements along the great Lakes and Rivers, and cutting off  
 ‘ all Commerce and Intercourse between the *English* and the numerous  
 ‘ powerful Tribes of Indians inhabiting that Country, whom they are  
 ‘ attempting to engage in their Interest by all Manner of Hostilities  
 ‘ and Artifices : And at the same Time they are pushing on their In-  
 ‘ croachments with equal Vigour quite round His Majesty’s Eastern  
 ‘ Colonies, where they have secur’d all the Indians in those Parts to  
 ‘ join them against the *English*.

‘ Should the *French* prevail in the former Part of their Scheme, and  
 ‘ gain a general Influence and Dominion over the Indians behind the  
 ‘ *Apalachean* Mountains, which they must in the ordinary Course of  
 ‘ human Events do in a short Time, if they are not timely prevent-  
 ‘ ed by an Union of His Majesty’s Colonies, they will have in a very  
 ‘ few



‘ few Years a most formidable Army of those Indians at their Com-  
 ‘ mand, maintained without any Expence to themselves ; but on the  
 ‘ other Hand, with great Profit arising from an immense Fur-Trade  
 ‘ carried on with them : And what fatal Consequences such an Army  
 ‘ of Warriors (a few of which have been found sufficient to keep a  
 ‘ large Frontier in continual Alarm) must have upon all His Majesty’s  
 ‘ Southern Colonies, by continually harrassing them at the Direction  
 ‘ of the French, and supported by them from *Canada* on one Side, and  
 ‘ *Mississippi* on the other, and cover’d in their Retreat behind the Moun-  
 ‘ tains by a strong Line of Forts commanding the Navigation of all  
 ‘ the Lakes and Rivers, is easy to conceive ; especially if the Indians  
 ‘ of the Six Nations should desert our Alliance, and join the *French*,  
 ‘ which must in such Case be a decisive Blow to the *British* Interest on  
 ‘ that Part of the Continent.

‘ At the same Time if they are not prevented by a Coalition of the  
 ‘ Colonies from finishing the Scheme, which it is most manifest they  
 ‘ are forming against the Eastern Provinces, and already far advanc’d  
 ‘ in, they must soon have it in their Power equally to distress  
 ‘ *them* likewise : And all the *English* Colonies will be involv’d together  
 ‘ in one general Flame.

‘ It is true, those Colonies are far superior to the *French* in their  
 ‘ Numbers and Strength ; but if that Strength, *Gentlemen*, is not pro-  
 ‘ perly exerted by an Union among themselves, how little will it avail ?

‘ It is not difficult to imagine that such a Body of Troops as the  
 ‘ *French* may soon collect, together with the Assistance of all the In-  
 ‘ dians scatter’d throughout this Continent, on the Back of the *Eng-  
 ‘ lish* Colonies (as the *French* Settlements likewise are) when under  
 ‘ the Command of the Governour General of *New-France*, who upon  
 ‘ all Emergencies can direct their Force as he pleases, may reduce a  
 ‘ Number of disunited Provinces, many of them very remote from  
 ‘ each other, tho’ much superior to them in Point of the Number of  
 ‘ Inhabitants.

‘ For forming this general Union, *Gentlemen*, there is no Time to  
 ‘ be lost : The *French* seem to have advanc’d further towards making  
 ‘ themselves Masters of this Continent within these last five or six  
 ‘ Years, than they have done ever since the first Beginning of their  
 ‘ Settlements upon it : And how determin’d they are to accomplish  
 ‘ their Scheme as soon as possible, appears from their breaking thro’  
 ‘ the most recent solemn Treaties and Agreements made between the  
 ‘ two Crowns in order to effect it.

*Gentlemen,*

‘ His Majesty hath given the strongest Proof of His paternal Care  
 ‘ of his Colonies, and constant Attention to their Safety, in directing  
 ‘ his Governors to promote this Union within their respective Go-  
 ‘ vernments ; and I hope you will not be wanting on your Parts, to  
 ‘ contribute all in your Power towards effecting it, by improving the  
 ‘ Opportunity which the approaching Interview with the Indians of  
 ‘ the Six Nations at *Albany* happily presents for that Purpose : And  
 ‘ I doubt not but that you may depend on all reasonable Support and  
 ‘ Protection on the Part of His Majesty against all present and future  
 ‘ Enterprizes and Attempts of the *French* against you.

*Council-Chamber, April 2. 1754.*

*W. SHIRLEY.*

The

The Message of both Houses to His Excellency, in Answer to the two foregoing SPEECHES: *April* 9th. 1754.

*May it please your Excellency,*

THE Council and House of Representatives of this his Majesty's Province, have given very great Attention to the two Speeches which you have been pleased to make from the Chair, on the 28th of *March*, and the 2d of *April*. We are sensible they contain Matters of the last Importance not only to the Inhabitants of this Government, but to every other of his Majesty's Subjects in *America*, to the *British* Interest in general, and to the Interest of all *Europe*.

Message of both Houses on the Governor's Speech of the 28th of *March* and 2d of *April*.

It now evidently appears, that the *French* are far advanced in the Execution of a Plan projected more than fifty Years since for the extending their Possessions from the Mouth of the *Mississippi* on the South, to *Hudson's Bay* on the North, for securing the vast Body of *Indians* in that Inland Country, and for subjecting this whole Continent to the Crown of *France*. This Plan, agreeable to the Genius and Policy of the *French* Nation, was laid for a future Age, the Operation of it has been gradual and almost insensible, whilst the *British* Governments in the Plantations, have been consulting temporary Expedients, and they are in Danger of continuing to do so until it be too late to defeat it. And however improbable it may seem that this Scheme should succeed, since the *French* Inhabitants on the Continent, at present, bear but a small Proportion to the *English*, yet there are many other Circumstances which give them a great Advantage over us, and which, if not attended to, will soon over-balance our Superiority in Numbers.

The *French* pay no Regard to the most solemn Engagements, but immediately after a Peace take and keep Possession of a Country which by Treaty they had just before expressly ceded, whilst the *English* in the Plantations, afraid of incurring Displeasure, and of being Instrumental of bringing on a War in *Europe*, suffer these Encroachments to be made and continued. The *French* in Time of Peace are continually exciting the *Indians* settled among them to come upon our Frontiers, to kill and captivate our People, and to carry their Scalps and Prisoners to *Canada*, where, as we have full Evidence, a Reward is given for them; and by this Means we are prevented from extending our Settlements in our own Country, whilst the *English*, from the Principle just now mentioned, scruple to avenge themselves by carrying the War into the *Indian* Settlements, lest they should annoy his Majesty's Allies, with whom our most barbarous Enemies are intermix'd, and by whom they are cherished & encouraged. The *French* have under their Influence by far the greatest Part of the *Indians* on the Continent, whilst the *English*, by the different Measures of the several Governments, are in Danger of losing the small Proportion which at present are attached to them. The *French* have but one Interest, and keep one Point in View, the *English* Governments have different Interests, are disunited, some of them have their Frontiers covered by their Neighbouring Governments, and not being immediately affected, seem unconcerned. The *French* are supported by the Crown and Treasure of *France*, which seems now more than ever to have made the Plantations the Object of its Attention, the *English* Governments are obliged to carry on any Schemes

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at

at their own Expence, and are not able long to support any great Undertaking.

These are some of the Disadvantages which the *English* at present labour under, and they are not likely to be removed without his Majesty's gracious Interposition.

We therefore desire your Excellency to represent to his Majesty, the exposed hazardous State of these his Governments, and humbly to pray, that he would be pleased to cause the most effectual Measures to be taken for the removal of any *French* Forts or Settlements that are or may be made in any Part of his Territories on this Continent ; and in particular that the Subjects of the *French* King may be compelled to quit the Province of *Nova-Scotia*, where in direct Violation of the most express Agreement to the contrary, they are daily increasing and fortifying themselves ; That his Majesty would allow and order that whensoever the *Indians* who are settled among the *French* or are under their Direction and Controul, shall captivate and destroy his English Subjects, his respective Governments shall suffer and encourage the *Indians* who are in the English Interest, to make Reprizals upon the *French*, there being no other Way of putting a Stop to the Incursions of the *French Indians*, or of forwarding the Settlement of our Frontiers ; That Affairs which relate to the *Indians* of the Six Nations, and their Allies under some general Direction as his Majesty shall think proper may be constantly regarded, and that the Interests or Measures of particular Governments or Persons, may not be suffered to interfere with such Direction ; That the several Governments may be obliged to bear their Proportion of the Charge of defending his Majesty's Territories against the Encroachments of the *French*, and the Ravages and Incursions of the *Indians* ; and that in Case of any great and heavy Charge, his Majesty would be graciously pleased to afford Relief.

In the mean Time, we assure your Excellency, that we are ready to do every thing that can be expected from us on the present Emergency. We think ourselves happy that we have a Gentleman at the Head of the Province, who is so perfectly acquainted with his Majesty's just Title to the Countries encroached upon by the *French*, who has given such distinguished Proofs of his Zeal for his Majesty's Service, whose Endeavours to defend his Territories, and enlarge his Dominions in Time of War, have been attended with such happy Success, and whose Abhorrence of such perfidious Invasions in Time of Peace we are so well acquainted with. We take great Pleasure and Satisfaction in the Measures taken by your Excellency, with the Advice of his Majesty's Council, in the Recess of the Court, and will chearfully Support the Execution of them.

We look upon it to be of absolute Necessity that the *French* should at all Events be prevented from making any Settlements whatsoever on the River *Kennebeck*, or the Carrying-Place at the Head of it.

As *Richmond* Fort on that River is in a decayed State, we desire your Excellency to order a new Fort to be erected of about One Hundred and twenty Feet square, as far up the River above *Richmond* Fort as your Excellency shall think fit, and to cause the Garrison Artillery and Stores at *Richmond*, to be removed to the new Fort, and the old One to be demolished.

We pray your Excellency likewise to order a sufficient Force up to the Carrying-Place to remove any French that may be settled there :

But



But as we apprehend that our Success, under Providence, will depend very much on your taking this Affair into your immediate Care and Direction; We therefore pray your Excellency to submit to the Inconveniences of a Voyage to the Eastern Parts of the Province; and there to give such Orders for the Purposes aforesaid, as you shall find necessary. And that your Excellency's Person may be secure against any Attempts of the *French* and *Indians*, and that you may be enabled to effect the building the Fort aforesaid, and to destroy any French Settlements that may be carrying on; we will make Provision for the Pay and Subsistence of Five Hundred Men; which Number, including the six Independent Companies already ordered, we desire you to cause to be enlisted as soon as you shall think proper. We will also make ample Provision for your Excellency's Voyage, and for an Interview with the *Indians*, if you shall find it expedient.

We hope, by your Excellency's prudent Management, these *Indians* will be convinced that it is their Interest to continue at Peace with us; and we are sincerely desirous that every Thing may be done which may tend to perpetuate the same.

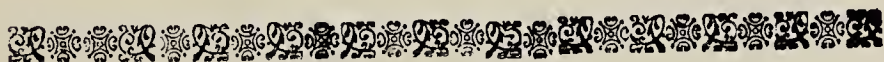
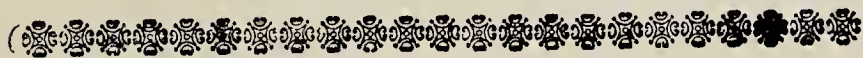
We will readily defray the Charge of supporting and educating a considerable Number of the principal Indian Children, if your Excellency can prevail on their Friends to agree to it.

We are situated remote from the *Six Nations*, and have never had the Benefit of a Trade with them, yet we have frequently joined in the Treaties with them, and have contributed largely towards Presents and other Expenses attending such Treaties, and are still ready to do all that can be reasonably desired from us for securing their Attachment to his Majesty's Interest.

Your Excellency must be sensible that an Union of the several Governments for their mutual Defence, and for the Annoyance of the Enemy, has long been desired by this Province, and Proposals made for this Purpose; We are still in the same Sentiments, and shall use our Endeavours to effect it.

An heavy Charge must necessarily attend the several Measures proposed, and we shall forthwith apply our selves to the making Provision for defraying the same.

*Voted*, That Col. *Richards*, Capt. *Chandler*, and Mr. *Greenleaf*, with such as the honourable Board shall join, be a Committee to wait on His Excellency the Governour with the foregoing Message.





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